JOURNAL

OF THE ADJOURNED SESSION OF

THE HOUSE OF REPRESENTATIVES,

OF THE

COMMONWEALTH OF KENTUCKY,

BEGUN AND HELD IN THE CITY OF FRANKFORT, ON MONDAY, THE SIXTH DAY OF DECEMBER, IN THE YEAR OF OUR LORD 1869, AND OF THE COMMONWEALTH THE SEVENTY-EIGHTH.

1871

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JOURNAL

OF THE

HOUSE OF REPRESENTATIVES

OF THE COMMONWEALTH OF KENTUCKY.

WEDNESDAY, JANUARY 4, 1871.

Pursuant to the joint resolution heretofore adopted, and under the order of adjournment of the 22d day of March, 1870, the House of Representatives of the General Assembly of the Commonwealth of Kentucky, again assembled at the Capitol in Frankfort, on Wednesday, the 4th day of January, A. D. 1871, and in the seventy-ninth year of the Commonwealth.

The roll being called, the following members of the House appeared and repaired to their seats, viz:

Mr. SPEAKER (Bunch),	M. W. Ferguson,	Thomas H. Moss,
William Adair,	James P. Ford,	Edward Myall,
George W. Anderson,	John N. Furber,	Joshua B. Parks,
P. W. Barron,	Robert T. Glass,	W. H. Pettus,
Alpheus W. Bascom,	D. Hambleton,	Elijah C. Phister,
Rob't C. Beauchamp,	William M. Hamlin,	Douglass L. Price,
D. M. Bowen,	Ben. Hardin,	G. W. Quick,
Howell Brewer,	A. J. Hendrickson,	William S. Richart,
Landon Carter,	Elijah Hurst,	George W. Riddle,
J. S. Chrisman,	William Irwin, sr.	George W. Silvertooth,
A. T. Coffman,	Alfred M. Jones,	Robert Simmons,
R. L. Cooper,	John W. Kendall,	Richard M. Spalding,
Thomas H. Corbett,	J. J. McAfee,	George W. Terrell,
F. R. Davis,	James B. McCreary,	P. M. Thurmond,
Asbury Dawson,	Wm. J. McElroy,	W. J. Webb,
J. C. DeMoss,	George R. McKee,	A. D. Weller,
H. G. Duerson,	Mason Morris,	John Wolf,
John Duvall,	Thomas E. Moss,	S. M. Wrather—54.

Mr. Samuel W. Brents, the member returned to serve in this House from the county of Barren, in the place of Joseph H. Lewis, resigned,

and Mr. William F. Barret the member returned to serve in this House from the 6th District of the city of Louisville, in the place of Basil W. Duke, resigned, appeared, produced certificates of their election, and having taken the oath prescribed by law, repaired to their seats.

Mr. Phister moved the following resolution, viz:

Resolved, That a committee of three members of this House be appointed by the Speaker to wait upon the Governor, in conjunction with a committee of the Senate, and inform him that the General Assembly, having met in adjourned session, is now ready to receive any communication he may have to make; and that they first inform the Senate of the meeting of this House, and of their appointment as a committee and readiness to act with a similar committee of the Senate.

Which was twice read and adopted.

And thereupon Messrs. Phister, McCreary, and Glass were appointed the committee on the part of the House, who retired, and after a time returned and reported that a quorum of the Senate was not yet present.

And then, on motion of Mr. Phister, the House adjourned.

THURSDAY, JANUARY 5, 1871.

Mr. Phister, from the committee appointed to wait on the Senate and inform them that the House was now in session, under the order of adjournment of the 22d of March last, and ready to proceed to legislative business, reported that they had discharged that duty.

A message was received from the Senate by Messrs. Cooke and Holt, informing the House that the Senate was also in session, under said order of adjournment, and ready to proceed to legislative business, and had also appointed a committee, to act in conjunction with a similar committee from the House, to wait upon the Governor, inform him of the assemblage of both Houses, and their readiness to receive any communication he may desire to make to this General Assembly.

Mr. Phister, from the joint committee appointed to wait on the Governor and inform him of the assemblage of the two Houses, and of their readiness to receive any communication he may be pleased to make to them, reported that they had discharged that duty, and were informed by the Governor that he would shortly make to each House a communication in writing.

A message was received from the Governor by Mr. Churchill, Secretary of State, which was taken up and read as follows, viz:

Fellow-Citizens of the Senate and House of Representatives:

I avail myself of the occasion afforded me by the last annual message which I shall ever address to the General Assembly of Kentucky, to tender to you my greetings on the auspicious opening of another new year.

I give you joy on its advent! I offer to you individually my best wishes for your success, prosperity, and happiness during this, and, I trust, for many succeeding years.

It hath pleased God to bless our Commonwealth with health, plenty, and peace during the past year. While we devoutly thank Him for these, and many other unnumbered mercies, let us humbly invoke His continued guidance, mercy, and protection.

The great length of my message addressed to you at the beginning of your last session renders it unnecessary that I should do more now than to repeat briefly some of its most important recommendations.

FINANCES.

The annual Reports of the Auditor and Treasurer exhibit a satisfactory statement of our financial condition.

During the fiscal year ending 10th October, 1870, the Commissioners of the Sinking Fund have redeemed and canceled bonds of the Commonwealth amounting to two hundred and thirty-four thousand four hundred and sixty-five dollars.

The entire State debt (exclusive of the school bonds) amounted, upon 10th October, 1870, to $1,424,394. Of this amount, $68,394 is now past due. On that sum interest ceased to be paid since maturity. This outstanding indebtedness is represented by State bonds as follows:

Bonds bearing 5 per cent. interest due May, 1865	$5,000 00
Bonds bearing 5 per cent. interest due April, 1867	5,000 00
Bonds bearing 6 per cent. interest due July, 1868	15,000 00
Bonds bearing 6 per cent. interest, maturity not given	394 00
Bonds bearing 6 per cent. interest due November, 1870	43,000 00
	$68,394 00

That portion of the debt not due is represented by the following bonds:

Bonds maturing in 1871	$340,000 00
Bonds maturing in 1872	230,000 00
Bonds maturing in 1873	319,000 00
Bonds maturing in 1874	136,000 00
Bonds maturing in 1875	20,000 00
Bonds maturing in 1876	2,000 00
Military bonds, bearing 6 per cent. interest, due in 1895	309,300 00
	$1,424,394 00

Our Sinking Fund resources to meet this indebtedness are:

Balance in the Treasury 10th October, 1870	$403,805 21
Add amount belonging to the Sinking Fund, but not transferred	32,558 81
Add amount loaned by Sinking Fund to Kentucky River Navigation Company	10,000 00
Add 7,789 shares Bank of Kentucky stock, at par	778,890 00
Add 400 shares Bank of Louisville stock, at par	40,000 00
Add 260 shares of preferred stock of Louisville, Cincinnati, and Lexington Railroad	26,000 00
Add 2,178 shares stock of Lexington and Frankfort Railroad, estimated at 50 cents	103,900 00
Add bonds of Louisville and Frankfort Railroad	74,519 50
Add turnpike road stock held by State in various turnpikes in Kentucky, amounting to $2,544,359 65—estimated at cash value	254,433 96
Add amount loaned by Commissioners of Sinking Fund under several acts of the Legislature to Revenue Department proper	815,179 98
	$2,539,297 46
From which amount deduct State debt outstanding 10th October, 1870	1,424,394 00
Leaves an excess of resources of Sinking Fund over State debt of	$1,114,903 46

I have not included in this estimate the balance still due by the Government of the United States on advances made by Kentucky during the war, which, by the report of the Quarter-Master General, is stated at $1,193,761 86. Whatever is realized from this claim will increase the handsome excess of the resources of the Sinking Fund over and above the indebtedness of the Commonwealth.

REVENUE PROPER.

Amount received from sheriffs from 11th October, 1869, to 10th October, 1870	$707,301 41
Amount received from corporations	217,300 70
Total receipts	$924,602 11
Add balance in Treasury on 10th October, 1869	72,148 82
	$996,750 93
Amount of expenditures for the fiscal year ending 10th October, 1870	1,082,639 92
Leaving a deficit on 10th October, 1870, of	$85,888 99

This deficit was caused by extraordinary appropriations made by the Legislature for which no provision was made at the time, and which, to the amount of $172,243 66, has been paid out of the revenue proper.

These payments on extraordinary appropriations were as follows:

Deaf and Dumb Asylum, act approved 7th January, 1870	$1,000 00
Barren Bridge Company, act approved 20th January, 1869	5,000 00
Cave City sufferers, act approved 20th January, 1870	5,000 00
Fire-proof Offices, act approved 2d February, 1869	40,500 28
Feeble-minded Institute, act approved 1st February, 1869	13,652 00
Same act, approved 10th February, 1870	4,230 00
House of Reform, act approved 15th February, 1869	10,961 40
Kentucky River, act approved 16th February, 1870	100 00
Licking River, act approved 10th March, 1869	53,592 65
Library for the Kentucky Penitentiary, act approved 2d March, 1870	253 55
North Fork Kentucky River, acts approved 1st March, 1869, and 20th January, 1870	4,954 95
Public books for destitute counties, act approved 16th March, 1869	29,703 83
Remains of General Henry Crist, act approved 19th January, 1870	1,250 00
Remains of Governor L. W. Powell, act approved 9th March, 1868	750 00
Visitors to foreign prisons, acts approved 3d and 10th March, 1870	795 00
Wolf Island, resolution approved 12th January, 1869	500 00
	$172,243 66

The payment of these extraordinary appropriations out of the current revenue for the last fiscal year has caused the excess of our expenditures over the receipts, and leaves the deficit as reported by the Auditor on 10th October, 1870, of $85,888 99.

A large amount of these extraordinary appropriations are still outstanding and unpaid. Among these items of indebtedness are the following:

Balance of the original appropriation for the construction of fire-proof buildings, act approved 2d February, 1869	$35,152 02
Original appropriation for House of Reform, act approved 15th February, 1869	28,000 00
Big Sandy river, act approved 10th February, 1870	75,000 00
North Fork Kentucky river, acts approved 1st March, 1869, and 28th January, 1870	245 05
Feeble-minded Institute, acts approved 1st February, 1869, and 10th February, 1870	7,554 75
American Printing House for the Blind, act approved 3d June, 1865. Blind Asylum, act approved 11th March, 1870	14,000 00
Western Lunatic Asylum, act approved 4th March, 1870	7,500 00
Amount carried forward	$177,451 82

Amount brought forward	$177,451 82
Remains of Gov. L. W. Powell, act approved 9th March, 1868	750 00
	$178,201 82
To this sum must be added an estimated balance still due for public books for destitute counties, which will probably reach	15,000 00
	$193,201 82

I again repeat my recommendation, made in my last annual message, that a wise financial policy eminently demands that provision should be promptly made for the payment of all extraordinary appropriations by the Legislature which grants them. It is the only safe way to avoid financial embarrassment.

The present indebtedness of the Revenue Department proper to the Sinking Fund was created by a disregard of this salutary rule. The first loan of three hundred thousand dollars was made of the Sinking Fund in 1861, and a further loan of three hundred and fifty thousand dollars in 1867, and further loans in 1868 and 1869—all under authority of law, to meet pressing exigencies of the State Treasury to supply deficits in the Treasury existing at the respective periods named, caused by the deficiency of the annual receipts to meet extraordinary legislative appropriations, in addition to the current expenditures of the State Government.

The estimates of the Auditor for receipts and expenditures during the past, as well as for the present fiscal year, show, that the present annual revenue receipts, at the present rate of taxation, are not more than sufficient to meet the current ordinary expenses of the State Government. We cannot rely on means from this source to pay off the balance due on outstanding appropriations already made, or to repay to the Sinking Fund the sum loaned to the Revenue Department proper.

Other necessary extraordinary appropriations will be required this winter to complete public buildings already commenced.

It is possible that the amount which we hope to receive from the United States on the war claim will discharge and liquidate the loan due by the Revenue Proper to the Sinking Fund. I recommend, however, that provision be promptly made for the outstanding appropriations now due and unpaid, and such others as may be required to be made this winter. A very slight increased rate of taxation for a brief and fixed period would be ample to meet this indebtedness. It is a responsibility which should be promptly met.

Economy is a cardinal virtue in every free government. Our common constituency have a just right to expect and demand of their Representative and Executive agents alike a vigilant prudence in all appropriations, and a strict fidelity in the disbursement of the public money. The people of Kentucky are, however, too liberal ever to stint themselves by a niggardly policy, which would withhold their prompt approval of every legislative appropriation demanded by an enlightened and humane public polity in the administration of State affairs.

Our revenue system calls loudly for revision and reform. Its present defects are glaring and patent. The constitutional requirement of uniform and equal assessments of taxable property is almost wholly disregarded. A proper and equal assessment of property throughout the Commonwealth would double its value. It is assessed at one sixth or one tenth of its value in some sections of the State, while in others it is returned at three fourths or four fifths. Some assessors adopt a specie, others a currency standard. Flagrant injustice to the tax-payer, and a diminished amount of revenue, are the natural results of existing inequality in assessments. Great irregularity exists, also, in the collection and payment of the revenue.

I suggest for your consideration an enactment creating a board, to consist of the Auditor, Treasurer, and Attorney General, who shall prepare and report to the next General Assembly a codification and revision of all the revenue laws of the Commonwealth, with power to frame a system which shall equalize assessments, increase the revenue, and regulate its prompt collection. Such a report would be attended with inconsiderable cost, and could not fail greatly to remedy existing evils in our revenue system.

I recommend that the Commissioners of the Sinking Fund be empowered to sell the turnpike stock belonging to the State.

A considerable loss has already occurred from non-action upon this subject, in consequence of the depreciation in the value of that species of property. As railroads increase, turnpike stock must decline. It is estimated by the Auditor that more than a quarter of a million of dollars can now be realized from a sale of this stock, and applied to the redemption of State bonds. A still further depreciation must follow. It brings in little or no revenue. So large an amount should not be lost from a failure to provide for its speedy

sale. The Commissioners of the Sinking Fund should be authorized to loan on call money on hand upon State or United States securities.

INSURANCE BUREAU.

I am gratified to inform you that the Insurance Bureau, created by a law at your last session, was fully organized on the 20th of May, and is now in successful operation. The Auditor of State, upon whom the selection of the Commissioner of Insurance devolved, has been eminently successful in securing for that position the services of GUSTAVUS W. SMITH, a native Kentuckian, who brings to the faithful discharge of the duties of this responsible trust industry, energy, ability, and worth. His valuable and instructive Report, which will be laid before you, shows him to be thoroughly versed in the theory and principles of life assurance, and fully vindicates the truth of the statement, that a better selection could not have been made.

There are now one hundred and fifty-two insurance companies operating in this Commonwealth. Of these, sixteen were incorporated by the Legislature of Kentucky, one hundred and fifty-one by other American States, and five by foreign governments. In addition, four Kentucky companies have ceased to do business, and gone into liquidation; and four others are reported as declining to do business.

When we remember that two thousand millions of dollars are estimated as already invested in the purchase of policies issued by insurance companies, whose operations are daily expanding everywhere; that the practical operation of life assurance companies have been heretofore involved in mystery; it must be a source of profound satisfaction to the people of Kentucky that a Bureau has been successfully established within the Commonwealth, under the sanction of law, where, by accurate calculations of competent and faithful actuaries, any policy-holder can promptly acquaint himself with the real condition of the affairs of any company; the extent of its business; the actual cash value of policies issued; and what constitutes a fair premium for any proposed contract of insurance; and yet this Bureau—so invaluable as a safeguard against fraud, ignorance, and imposition—has been put into successful operation without the increased expenditure of one dollar to the State.

EASTERN LUNATIC ASYLUM.

I herewith submit the annual Report of the Eastern Lunatic Asylum. It sets forth the condition and requirements of the institution.

I have received no reports from the Western Lunatic Asylum, the Deaf and Dumb Asylum, or the Institution for the Blind. As soon as they are received I will submit them.

FEEBLE-MINDED INSTITUTE.

The annual Report of this charity has not been received. The additional wing has been put up and covered in, and adds greatly to the general appearance of the building.

PENITENTIARY.

I regret to inform you, that, upon the 1st of October last, at a quarter past twelve o'clock, P. M., a fire occurred in the Penitentiary, by which the northern portion of the large three-story building, known and used as the hemp department, was destroyed, together with the engine, hackles, looms, chain-wheels, filling-wheels, heating pipe and calendar contained therein. A quantity of hemp belonging to the present Lessee was also consumed.

By the prompt and efficient exertions of the Fire Department of Frankfort, which are entitled to the highest commendation, the western half of the building was saved.

None of the convicts escaped, and many of them behaved with marked propriety, and exerted themselves in extinguishing the fire.

All efforts to ascertain with certainty the origin of the fire have, up to this period, failed. The estimated loss to the Commonwealth will not exceed thirty-seven thousand dollars. I submit the report of the Inspectors of the Prison, detailing the incidents of this calamity.

The law imposing the duty on the Commissioners of the Sinking Fund of rebuilding, in the event of a fire in the Penitentiary, limits their appropriation of money for that object at ten thousand dollars. They advertised for proposals to reconstruct, within the stated period, a building, in all respects similar in dimensions and material to the one destroyed. The lowest bid was that of Messrs. Haly & Brawner. They proposed to reconstruct one described in the proposals within forty days, for $14,999, to accept of the Commissioners' ten thousand dollars as the work progressed, and to look to the General Assembly for the balance of their bid.

In view of the large number of convicts who, in the event of not rebuilding, would be without employment, and the equitable abatement which the present and prospective Lessee might justly demand on that account in the rental they had agreed to pay to the State,

the Commissioners deemed it expedient to rebuild, and awarded the contract to Messrs. Haly & Brawner on the terms proposed. They have completed the building within the time, and upon the terms stipulated, and there is due them, in addition to the amount already advanced by the Commissioners, the further sum of $4,999; for which I recommend an appropriation.

The number of convicts in the Penitentiary on 1st January, 1871, was 680. Of these, 645 are males and 35 females. The number received during the past year was 319. The number discharged on time during the year was 192. The number of deaths during the year was 20. Of the whole number of convicts, 366 are white, and 314 are colored. The number of convicts is increasing so rapidly that I suggest whether the area of the prison, with a view to health, should not be increased, by taking down one of the walls and inclosing more ground already owned by the Commonwealth.

The Report of the present Lessee will soon be laid before you, and, I doubt not, will exhibit the same judicious and humane management of the institution which I have every reason to believe has hitherto marked his administration of its affairs.

I should fail in the discharge of my duty if I did not earnestly repeat my sincere conviction of the absolute necessity for a thorough change and reformation of the existing prison system, as urged in my last annual message.

HOUSE OF REFORM.

I submit the Annual Report of the Commissioners appointed to superintend the erection of the State House of Reform. The original appropriation for the construction of the building was thirty-eight thousand dollars, of which twenty-three thousand has been paid. The building will be completed and ready for use by the 1st of July. It will accommodate from seventy-five to one hundred boys. Five thousand dollars additional is reported as necessary to supply the heating apparatus and fixtures to the building. I recommend that prompt provision be made for this sum, together with the balance of the original appropriation outstanding and unpaid. Kentucky will then boast of another imposing structure, most advantageously located, dedicated to a long needed and most beneficent charity.

NATIONAL CEMETERIES.

I have the honor to lay before you a communication from the Secretary of War, requesting the legislative assent of this Com-

monwealth to the purchase by the United States of the National Soldiers' Cemeteries at Louisville, Lexington, Danville, and Frankfort.

Similar assent as that now asked for was yielded by Kentucky to the United States as to the National Cemeteries at Camp Nelson, Lebanon, Mill Springs, Perryville, and London, by an act approved 9th March, 1867. I recommend that its provisions be extended to the cemeteries designated in the letter of the Secretary of War.

STATE CLAIM AGAINST THE UNITED STATES.

The amount collected during the past year on the debt due by the United States to this Commonwealth is $173,884 57. The amount still due is $1,193,761 86, which will be further increased by amount of expenses of Quarter-Master General's Office, assumed by the Government of the United States.

A bill has been introduced by Senator Morton, and is now pending in Congress, to pay interest on State war claims. Should it become a law, ours will be increased three quarters of a million. Our Senators and Representatives will doubtless give it their earnest support. The act of Congress repealing the general appropriation of July 21, 1861, for the payment of State war claims, takes effect on 30th June, 1871, and necessitates extraordinary exertion in our efforts to collect the balance which is due us before that period.

Since the act passed by you and approved 15th March, 1870, touching the State Agency, the Quarter-Master General of Kentucky has spent a large portion of his time in Washington, and given his active personal supervision to the settlement of this debt. I should be derelict in my duty if I failed to express the high commendation which the Commissioners of the Sinking Fund believe to be so justly due to him, not less for his exertions in pressing the collection than in the success which attended this effort.

The Commissioners of the Sinking Fund did not exercise the authority conferred upon them by the act approved March 15th, 1870, as to the appointment of an agent to assist in the liquidation of this claim. It is self-evident that the efficiency of any agent must greatly depend on an intimate knowledge of our whole claim, its history, the proof taken in support of its various items, and the precedents established by the Treasury Department in former adjudications and settlement of similar claims. None possessed this knowledge to the extent of the Quarter-Master General, and his

presence was therefore essential at Washington. If aid was required, the Quarter-Master General would be better informed than the Commissioners as to what particular point and at what particular time such aid might become necessary. The Commissioners of the Sinking Fund will prepare and submit an act amendatory of that of March 15th, 1870, which I have no doubt will meet your approval.

LABOR AND EMIGRATION.

I again respectfully recommend the establishment of some agency through which foreign capital and labor may be induced to seek investment and settlement in this Commonwealth. The want of labor is beginning to be seriously felt, and we must look to the teeming hosts daily leaving the Old World to find a home in the New, to increase our population and supply our wants.

This can never be accomplished unless some step is taken to acquaint emigrants, before leaving their own country, with the advantages offered by Kentucky as a place of permanent settlement. A very moderate expenditure would establish an Emigration Bureau at home, and send agents abroad who could not fail in their efforts to increase largely our farming population, and to supply the present demand for mechanics and laborers.

It is through such a channel alone that we can make Europe accurately acquainted with the low price of our lands, under which lie such inexhaustible supplies of valuable coal and iron; our forests of lumber; our healthy climate; low rate of taxation; our extensive and expanding system of public schools; and the productive character of our soil.

In this connection, I beg leave to submit a most interesting letter received from Blanton Duncan, Esq., a prominent gentleman of this State, who is now abroad, and whose experience from a long residence in Europe entitles his suggestions to high consideration.

An Emigration Convention was called by a large number of the Governors of the Western and Northwestern States, to be held at Indianapolis, in Indiana, on 21st November last, and to which I was strongly importuned to accredit two delegates from Kentucky. Without any authority, save the request of one or two of the Governors calling the said Convention, I appointed Robt. W. Scott, of Franklin, and Dr. R. J. Spurr, of Fayette, as delegates to said Convention. The former was prevented by ill health from attending. Dr. Spurr attended, and has forwarded to me a most interesting report of the proceedings of said Convention, which I herewith submit.

LAW AND ORDER.

It becomes my duty to call your attention to the necessity of prompt and more stringent legislation for the more perfect preservation of law and order. While, in the main there is, perhaps, as much security for life and property in Kentucky as in the adjacent States, it cannot be disguised that since the close of the war, and as a kind of outgrowth of it, lawlessness has, to a greater degree than ever before, displayed itself everywhere. During and immediately following the war, Kentucky, from its geographical position as a border State, was subjected to a more severe ordeal from this cause than her neighbors; and accordingly, during the first years of my administration, lawlessness, in some portions of the Commonwealth, manifested itself in formidable organizations, which defied the local authority, and perpetrated deeds of open violence under pretext of regulating order and punishing crime. By the use of the militia at my command, and the exhibition of my firm purpose to suppress such practices at all hazards, tranquility was restored, and there has not been for some time, in the localities which had suffered from such lawlessness, any demonstrations having the semblance of organized resistance to the law. Still, in various portions of the State, there have been committed by lawless persons, acting in bodies, generally under cover of night, and sometimes in disguise, acts of violence upon individuals, either wholly innocent of offense or only subjects of criminal prosecution through the courts, most of which class of violators of the law have escaped detection and punishment.

To a too frequent exhibition of combined lawlessness, which it is equally unjust and pernicious to ascribe to *political* causes, and which should receive the prompt condemnation of good men of all parties, and the countenance and apology, however indirect, of none, I must add a painful frequency in the occurrence of acts of individual violence, resulting in death. To the causes and remedies in both classes I invite your careful and earnest consideration, feeling assured that, should your meeting together result in no other consummation than the correction of the evils alluded to, you will have conferred an inestimable service upon the State; for with the recurrence of such acts, and the eager publicity with which they are heralded abroad with magnified horror, the prosperity of the Commonwealth receives a continued check in preventing the flow of immigration and capital, which shrink from venturing within limits where life is represented to be so insecure.

Within the sphere of my official power, I have labored earnestly to correct these evils. As the head of the Executive Department of the State, I am charged with the duty of seeing that the laws are executed, and that violations thereof are punished; but there is a wide-spread ignorance thoughout the State as to the means possessed by me, or at my command, for the successful performance of this public duty. The power of the Executive in this particular is not commensurate with his responsibility. The practical execution of the laws is with the local civil authorities, who are responsible directly to the people, and over which the Executive has no more power or control in the initial redress of the law than a private citizen. The only warrant I can issue for the arrest of criminals, save in the extradition of fugitives, is in the nature of a reward, limited by law to five hundred dollars, and only then upon the petition of the County Judge or some designated civil officer. In every instance in which crimes have thus been officially brought to my notice, I have not failed promptly to respond, and aid by my proclamation for the arrest of offenders.

The other agency at my command, in the suppression of violence or in the execution of the law, is through the militia of the State. In its use I am, however, quite as much restricted as in the matter of proclamations. My authority extends no further than to order out the militia of a county, upon the application of the local authority setting forth the necessity of their use in support of the civil power, or in case of imminent danger of riot. The same authority is vested in the judges of the various courts, and the sheriffs and mayors of cities. Upon several occasions, when applied to, I have ordered out the local militia, but, without authority, in ordinary cases, to act, except in response to the call of the local officers charged with the execution of the laws, little good has resulted in these latter cases, save in the moral effect of such demonstrations.

What is the most efficient remedy for the suppression of these growing evils rests exclusively with you. Whether in the establishment of a well-organized police system, under an efficient head, or in some other way, must be determined by the law-making power. I am quite sure that no measures can be completely successful without conferring upon the Executive additional discretionary power, in any sudden emergency, to act, where the public security requires it.

MILITIA.

In this connection I desire to repeat my suggestions, as set forth in previous communications, for the absolute necessity of a thorough reorganization of the militia as an important adjunct in the enforcement of law. The highest duty which the State owes to the citizen is to encircle his individual right and interests with the solid safeguard of absolute legal security. No man is free who is not protected from injury. The necessity of a State militia to the safety and good order of society has never been questioned. Its establishment is enjoined by the Constitution, and its effective organization should be provided for by law. Our present statutes are notably deficient, and require thorough revision. The bare knowledge of the fact that a disciplined and active volunteer militia, thoroughly drilled and equipped, was ready at a moment's warning, upon the call of the Executive, to maintain the law and protect the individual from any lawlessness which would trespass upon his rights, would of itself be a terror to the law-breaker. With the single view as an auxiliary to aid me in the execution of the law, I have sought to make the militia as effective as possible by an encouragement of the volunteer system, authorizing, upon proper legal application, the organization of such companies as, existing without pay, should become disciplined to arms, and be ready at the call of the civil authorities to maintain the law. When called into active service they receive the same pay as soldiers of the United States Army, and are subject to similar regulations. The arms of the State are issued upon the execution of satisfactory bond for their safe-keeping, which constitutes the only contribution made by the State towards their organization. Their further equipment is wholly a matter of private expense. Much of the additional expense required to render our system thoroughly effective, without cost to the State, could be realized from a proper system of fines for failure to attend ordinary militia duty, and for which there is now no provision.

The organization of these volunteer companies was at one time, during the past summer, made the subject of severe criticism on political grounds, and I was urged by gentlemen of high character, and entitled to my respect, to disband them, and withdraw the State arms in their possession. I was satisfied that this appeal rested on a total misapprehension of the objects and purposes of the organization, and did injustice alike to the militia and myself. I declined to disband, and have endeavored to demonstrate, as far as has been in

my power, that the organization looks only to the highest good of the State, as the impartial conservator of the peace in conjunction with, and in subordination to, the civil authority. Whatever may be the political views of the members, they are not political adherents to whom arms have been distributed. I have neither known or inquired into the political opinions of any who have organized and applied for arms. No such test has been, or ever will be applied, during my administration. Their mission is a higher one, and the object of their organization seeks a far nobler end. They are the citizen-soldiers of Kentucky, whom I would inspire with the conviction, irrespective of all political bias, that they constitute the conservators of law and order in peace, as they are to be the defenders of her honor in time of war, should the necessities of their country ever demand it.

I refer you to the Adjutant General's Report, which will be laid before you, for the details of the volunteer organization existing in the State.

COMMON SCHOOLS.

I commend to you the able and well-digested Report of the Superintendent of Public Instruction, published since your adjournment. The appreciation by the people of Kentucky of the necessity of a thoroughly organized and complete system of instruction of the masses has been fully vindicated in their ready supply of a school fund amply sufficient, now, to place our common schools on a solid and permanent basis. I refer you to the interesting details and statistics of this report, and warmly recommend its suggestions.

JUDICIAL SALARIES.

I respectfully suggest that an increase in the salaries of the Circuit Judges would seem to commend itself as a measure demanded by the highest considerations of public policy, not less than by the strongest claims of intrinsic justice.

The rates of living, and all the necessaries of life, have advanced greatly since the present salaries of the Circuit Judges were fixed. The price of labor has been doubled. Salaries and wages in every condition of life have been largely advanced. By what standard shall it be deemed just to continue judicial salaries at a rate which scarcely supports the judge, and pay him that pittance in a depreciated currency?

I pass over the arguments deduced from the necessity of an independent and fearless judiciary. They are strong and well known.

But I beg leave to suggest, that while the Government of the United States is paying its Supreme Judges $7,500 per annum, we are paying ours but four thousand, and our Circuit Judges but little over half the sum last named. In this hour, when centralization is encroaching upon the rights and local self-government of the States, are they less in need of fearless, able, independent judges, than the Federal Government? Are they less willing or less able to pay an adequate compensation? It is a reflection upon the people of Kentucky to say that they are unwilling to pay the judicial officers good salaries.

If we would keep men of mind and influence true to their State, and in its service, let not the State be niggardly to her judges.

FEDERAL RELATIONS.

My views upon the Fifteenth Amendment to the Constitution of the United States, and the policy of its adoption, were fully expressed when I submitted it for your action. They have undergone no change.

Since your adjournment, it has been officially declared to have been ratified by the requisite number of States, and to have become a part of the Federal Constitution. The validity of its adoption is a question which belongs alone to the judiciary.

Two general elections have occurred in Kentucky since the declaration of its ratification. The large class of persons whom this amendment clothed for the first time with the right of suffrage in this Commonwealth, exercised that franchise on both occasions with unrestricted freedom. The testimony from every portion of the Commonwealth justifies the statement that a more quiet and orderly Congressional election has never occurred than that which took place in this State in the month of November last. Whether further legislation is required for the purity or freedom of elections, may well be submitted to your consideration.

CIVIL RIGHTS BILL.

The argument of the cause now pending in the Supreme Court of the United States directly involving the validity of the act of Congress, known as the Civil Rights Bill, would have taken place during the first week in December last but for the indisposition and absence of the Chief Justice of the United States. It is expected to be heard before a full bench during the early part of next month.

Soon to retire from the Executive Chair, and to dissolve my connection with the State Government, I cannot close this communication without bearing my willing testimony to the fidelity, zeal, and industry with which all the duties have been performed by those associated with me in the different agencies of the State Government during my administration of its affairs.

I shall carry with me in my retirement a grateful recollection of the friendship and courtesy which has always marked our official relations and rendered them so agreeable.

Assuring you of my cordial concurrence in all measures tending to promote the welfare of our beloved Commonwealth, I earnestly trust your deliberations and action may tend to the prosperity and happiness of her people.

J. W. STEVENSON.

DOCUMENTS ACCOMPANYING GOVERNOR'S MESSAGE.

Report of Inspectors of the Penitentiary.

FRANKFORT, KY., October 3d, 1870.

To His Excellency, Gov. Stevenson:

SIR: It becomes our duty to report to you a very destructive fire that occurred in the penitentiary on Saturday, 1st inst., at a quarter past 12 o'clock, P. M.

The bell had sounded for dinner; the prisoners had left their shops, and a majority of them entered the dining-hall, when the first alarm was given. In the eastern portion of the yard was the large three-story building, extending from north to south, and occupied exclusively for the hemp department—containing rooms for the storage of such an amount of hemp as is needed for immediate use, hackling, chain-walks, looms, calendar, engine, and appliances. It was in this building that the fire originated—being first discovered in a lot of hemp on the first floor, and to the right of the door entering the hemp room, near the northern end. The Keeper immediately ordered to their cells all the prisoners, with the exception of a few of the more trusty ones, whom he retained in the yard to give the necessary assistance for the occasion. The Fire Department of the city was very promptly on hand with the steam fire engine, and rendered most valuable and efficient service—saving the entire

southern end of the building (nearly one half), containing a larger portion of the looms and two chain-walks on the second and third floors. Their conduct was admirable and highly appreciated.

The Surgeons of the institution—Drs. J. L. & W. H. Phythian, and Dr. R. W. Wilhoit, house physician—were promptly at their posts watching the hospital, which was in great danger from the apprehended falling of the northern wall of the building on fire.

In accordance with the order of Gen. Johnston, Capt. Thompson, commanding the Valley Rifles, was speedily on hand with his company, and surrounded the walls, guarded the gate, and prevented any attempt at escape or outbreak. The whole affair was most admirably managed in all the details, and in the space of an hour all danger from the spread of the conflagration or further damage was completely removed.

As to the cause of the fire, it is not possible to state at the present moment. Suspicion, of course, is strong toward incendiarism; but this must constitute no part of an official report, and we would only say on this point that a most rigid investigation has commenced, and will continue without intermission until we can arrive at a definite conclusion, which in due time will be announced to you. Nothing that the utmost tact, care, and ingenuity can accomplish shall be spared to attain the desired end.

As a consequence of the disaster, four hundred and twenty-seven (427) prisoners were thrown out of employment. The Keeper is now making arrangements, by the erection of temporary structures, for the employment of two hundred and fifty out of the above number.

In regard to the losses sustained by the Keeper and the State, we give *approximate estimates:*

LOSS OF THE KEEPER.

1. Fifty tons of hemp in store.
2. Five tons of hemp in process of manufacture.

Valuation, $200 per ton.

3. Expenses of maintaining the prisoners out of employment.

LOSS OF R. B. HAMILTON & CO., LEXINGTON.

Twenty-three tons of hemp, stored with Capt. Todd, for manufacture—value $200 per ton.

LOSS OF THE STATE.

1. Over one half of the building; a portion of the brick, however, can doubtless be used in re-erection, and we give approximate estimate at $25,000.

2. Engine and heating pipes.
3. One hundred and fifty feet of shafting with pullies.
4. Eighty hackles.
5. Seven looms.
6. Fifty-six chain-wheels.
7. Sixty filling-wheels.
8. One calendar.

Approximate estimate, $20,000.

We would earnestly recommend that immediate steps be taken to repair the loss to the State, by erection of the building and replacing the machinery. A competent architect should at once be employed to inspect the walls and make the necessary plans for the work. If done now, before unpleasant weather sets in, we have no doubt, as already expressed, but that a large quantity of the brick will be found serviceable; if delayed, however, and exposed to the rains and snows and freezing of winter, the damage the brick would sustain must necessarily enhance the cost by new ones being required.

We are specially requested by Capt. Todd to state, that, under no circumstances, would he contract for the work Only a few months of his term remain, and he is desirous of closing up its legitimate business, without involving it in any complication or with additional undertakings. He will, however, hire to the contractor labor at a very reasonable price, and see that the laborers discharge well their duty.

Very respectfully,

J. M. MILLS,
GEO. A. ROBERTSON,
RICHARD SHARP,
Inspectors Kentucky Penitentiary.

FRANKFORT, KY., October 11th, 1870.

To His Excellency, Gov. Stevenson:

SIR: In our report respecting the fire that occurred in the penitentiary on the 1st inst., we recommended an immediate re-erection of the burnt building. Since that time we have made further inspection, and would now urge the necessity of complying with the recommendation. The larger portion of the brick can be used in the construction; and we have reason to believe, that, if the work is entered upon at once, it can be completed before the commencement of cold weather. An additional reason is, that it can be done at a far

less cost than if delayed, and thus be a step of true economy on the part of the State. Competent contractors can be found who will undertake the work, and the Keeper of the Prison can hire, at a reasonable cost, the necessary labor and give the necessary supervision. Having the aid right at hand, the contractor could be greatly facilitated as to time, and be enabled to comply more certainly and speedily with his obligation.

Very respectfully,

J. M. MILLS,
RICHARD SHARP,
GEO. A. ROBERTSON,
Inspectors Kentucky Penitentiary.

Report of Commissioners to Superintend the Erection of the State House of Reform.

To His Excellency, John W. Stevenson, Governor of Kentucky:

In discharge of our duties as Commissioners for the erection of the State House of Reform, we have caused to be erected, in Jefferson county, near Hobbs' Station, a building 136 by 61 feet, with slate roof, in form of a double "T," four stories high, including stone basement, containing thirty-three rooms, exclusive of halls for stairways, corridors, &c.

This main building, or Congregate House, will, when completed, cost about $38,000 (amount already appropriated), except heating apparatus, cooking range, &c. Said house will accommodate from seventy-five to one hundred inmates, and, with some other additional buildings, which will become necessary hereafter to make, will accommodate from three hundred to three hundred and fifty boys.

We would earnestly recommend to the Legislature to make an additional appropriation of $40,000, to put up three buildings next year—two to be used for what are called family houses, and the other one for work-shops. This, we think, indispensably necessary to put the institution in working order.

The main building can be made ready for the reception of inmates by the 1st day of July next, if an additional appropriation of $5,000 can be had for the heating apparatus, cooking range, laundry fixtures, &c. We herewith submit a statement of the amount of money received and paid out:

Cash received from Treasurer, from time to time, as per order of Board----	$23,000 00

Cash paid out to date:

To Isaiah Voys, Architect, for plans and specifications	$100 00
To W. H. Redin, Architect	40 00
To W. N. Haldeman, advertising for contract	72 00
To Eli Gaar, cutting and delivering 448 cords wood for brick kiln	739 80
To M. Krupp, moulding and burning 900,000 brick	4,478 00
To Alex. Sinclair, stone contractor (to date)	4,950 00
To J. B. Montgomery & Co., contractors (to date)	12,541 86
To interest paid Bank of Kentucky	78 34
	$23,000 00

The above shows total receipts and disbursements up to this date, December 28th, 1870.

S. L. GAAR,
A. C. VALLANDINGHAM,
R. C. HUDSON,
Commissioners.

Letter from Secretary of War in regard to National Cemeteries.

WAR DEPARTMENT,
WASHINGTON, D. C., August 10th, 1870.

To the Governor of the State of Kentucky, Frankfort, Ky.:

SIR: In compliance with section two of the act, entitled "An act to amend an act, entitled an act to establish and to protect national cemeteries," approved July 1st, 1870, requiring me to do so, I have the honor to inclose a copy of the act referred to, with the request that you make application, at as early a date as practicable, to the Legislature of your State, for its consent to the purchase by the United States of the national soldiers' cemeteries at Louisville (Cave Hill), Lexington, Danville, and Frankfort, Ky.

I have the honor also to state that the United States have already jurisdiction and power of legislation over the following national soldiers' cemeteries in your State, viz: Camp Nelson, Lebanon, Mill Springs (near Logan's Cross Roads), Perryville, and London; ceded to and vested in the said United States by an act of the Legislature of the State of Kentucky, approved March 9th, 1867.

I am, Governor,

Very respectfully,

Your obedient servant,

WM. W. BELKNAP,
Secretary of War.

AN ACT to amend an act, entitled "An act to establish and protect National Cemeteries."

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That from the time any State Legislature shall have given, or shall hereafter give, the consent of such State to the purchase by the United States of any national cemetery mentioned in the act, entitled "An act to establish and protect national cemeteries," approved February twenty-second, eighteen hundred and sixty-seven, the jurisdiction and power of legislation of the United States over such cemetery shall in all courts and places be held to be the same as is granted by section eight, article one, of the Constitution of the United States; and all the provisions of said act of February twenty-second, eighteen hundred and sixty-seven, shall be applicable to the same.

SEC. 2. *And be it further enacted*, That it shall be the duty of the Secretary of War to cause copies of this present act to be sent to the Governors of all such States wherein any of such national cemeteries may be situated, to the end that the Legislatures of such States may give the consent herein mentioned.

Approved July 1, 1870.

Report of Dr. R. J. Spurr, Delegate to Immigration Convention at Indianapolis, Indiana.

LEXINGTON, KY., December 17th, 1870.

Gov. J. W. Stevenson:

DEAR SIR: Herewith I hand you my report on Immigration Convention at Indianapolis and upon its bearing upon our State. I have had to prepare it from memory, but I feel assured that all its statements are substantially correct.

If there is anything in it worthy of public attention, you can dispose of it as indicated in yours to me under date of 10th inst.; if not, give it to the flames; it is at your disposal.

However feebly I may have dealt with the subject in the accompanying paper, it is, nevertheless, one of vast importance to us; and should our Legislature, this winter, desire to examine into the subject, any assistance which I may be competent to give to them will be cheerfully done.

Hoping our Legislature may look kindly upon this matter, and cherish it, I am, sir,

Most respectfully yours,

R. J. SPURR.

To His Excellency, J. W. Stevenson, Governor of Kentucky:

DEAR SIR: Having been appointed by you a delegate from Kentucky to the Immigration Convention at Indianapolis, which was held on the 23d ult., I attended said convention in virtue of said appointment—being the only delegate from this State present—and respectfully report—

That the call for the convention was made by the Governors of several of the Western and Northwestern States, for the purpose, as stated in the call, of devising some plan of remedying existing frauds and abuses to which the immigrant is subjected in landing in this country, and in transit to his place of destination. I would not be understood to intimate, in anything which may follow in this report, that the Governors calling the convention did not do so in good faith, and for good purposes; but having felt constrained to cast my vote against the programme adopted, I feel it due to you, as well as to myself, to give you the reasons for so doing: First, the political bias of the members of the convention. Excepting New York and Kentucky, all the delegates for the States at large were appointed by Republican Governors; and their appointees were, probably, without exception, or with but few exceptions, in political accord with the appointing power; hence our other political party was but feebly represented in the body, and these few soon saw, from the united assault upon the delegates from New York, appointed by Governor Hoffman, that, whatever might have been the humanitarian purposes of those calling the convention, it had fallen into the hands of those who had joint purposes to accomplish, which purposes were not the good of the immigrant or the well-being of the whole country. It so happened, accidentally or otherwise, that land and railroad monopolies had a very large representation in the body. So much was this the case, that your delegate often heard the remark made, that it was a convention in the interest of certain railroad and land monopolies, for the purpose of turning the entire tide of immigration into certain channels, to settle up the princely domain granted by Congress to railroads in the Northwest, to aid in their construction, and thus to enhance the value of those lands, and give princely estates to the owners thereof.

Whether this remark was well founded or not, the facts were well calculated to arouse unpleasant suspicions. 2. Since the organization of the Federal Government, it has never undertaken to control the reception of the immigrant upon our shores, nor his transit upon

land to his place of destination; but has wisely, as it seems to the undersigned, left it to be regulated and attended to by the States interested, and to benevolent immigration societies. In the past, some abuses may have, and probably did, exist; but these have, in the progress of time, as a more enlarged experience has been gained, been remedied; and if frauds and abuses now exist, your delegate feels assured that it is not the fault of the Commissioners of Immigration at the ports of entry, but is clearly traceable in the main to the harpies in the interest of different monopolies.

The action of the convention looked to a radical change in this whole matter. The following resolution was adopted, among others, by a vote of ayes 72, noes 5—not voting, but present, 12: "*Resolved*, That, in the opinion of this convention, a Bureau of Immigration should be established under the auspices of the Federal Government." This little resolution has a very innocent and benevolent look about it; but your delegate, possibly erroneously, thought otherwise. To understand this fully, it is necessary to make a statement of what is contemplated by the resolution.

At the ports of entry where immigrants are landed, the ships landing them are required to pay to the Commissioners of Immigration a *per capita* tax, in lieu of a bond that none of the immigrants so landed shall become a charge to the State or municipality where landed. This tax at New York city is $2 50 per head; at Boston, it is, I believe, the same upon all those who do not at once leave the State. These, as a general thing, are those who are unable to go on, and become a charge either to the city or State. In Massachusetts the past year, the cost, above the capitation tax collected for taking care of the sick, insane, paupers, and indigent immigrants, was but little short of half a million of dollars. It is proper to state that the Commissioners of Immigration at the different ports of entry receive no part of the capitation tax as a salary; but that every dollar of it, and much more, is expended in the interest of the immigrant. It is now contemplated by the resolution of the convention to invite and urge upon the Federal Government to take the whole control of this subject, forbid in the future the levying and collecting of any tax, directly or indirectly, from the immigrant; the institution of a Federal Bureau, to take the sole control of this matter, not only at the ports of entry, but upon every train or steamboat engaged in the transportation of the immigrant inland to his place of destination. All the

expenses of the army of Federal officers thus created to be paid fro the Federal Treasury, together with all charges for taking care of t sick, insane, indigent, and paupers. All this looks very nice as humanitarian movement, and is well calculated to make a favorab impression upon him for whom the lavish provision is made, an attach him unwaveringly to the party who shall accomplish such benevolent purpose in his behalf. But there are considerations economy and State policy, which should be pondered well, before w consent to give our adhesion to this scheme. 1. The present tendenc of the Federal Government is to centralization, and to strip the State of those rights once thought to be guaranteed by the Federal Consti tution; *this* scheme is intended to be one more step in the sam direction. 2. It looks to a large increase of the army of office holders, already enormous. 3. It proposes the expenditure of man millions of dollars to do a work which probably is now better done and without charge. 4. It contemplates the establishment of *Bureau*, to extend its ramifications to every part of the nation, whos mandates, if necessary, will be enforced by Federal authority. Thi of itself would have been sufficient, to have deterred your delegat from voting for the proposition, as our State had in the past suffi cient experience with Federal Bureaus. These are some of the mor prominent objections to the scheme adopted by the convention; many others of minor importance might be set forth; but it seems to me that the foregoing are sufficient to give an understanding of the whole concern.

I now propose to lay before your Excellency some suggestions indicating what I believe to be the true policy of our State in rela tion to this subject. The first proposition which presents itself to the mind is, whether or not it is our policy to encourage immigrants to come among us. It would seem to be important that we should maintain our relative position among the States in the councils of the nation. Appearances would now seem to indicate, that in the next apportionment for Federal representation; if made upon the basis at present existing, Kentucky will lose one member in the House of Representatives; and this will occur notwithstanding our whole negro population is counted in the next apportionment. If in the future we have to depend upon natural causes for an increase of popula tion, we will find at the end of each decade that we have lost representation and influence in the councils of the nation, while

other States, by absorbing the entire tide of immigration, will grow into colossal power. Nor is this all; wherever the immigrant shall make his home, there he will be educated in the political views of the people among whom his lot is cast. 2d. Population is wealth and power. We have territory and resources sufficient comfortably to sustain four-fold the population we now have. If this was properly settled by a large population of industrious people, the untold millions of wealth now lying dormant in our State would be developed, and in the progress of the nation we should maintain our proper position; our mines of coal and iron would be effectively worked, furnaces erected for the purpose of reducing the iron ore, manufactories established to prepare and fashion the products of the furnaces to all the purposes which the wants of civilization might require. Our forests would be filled with the sound of the ax and hum of the saw, preparing its vast treasure for the benefit of the human family; railroads and other means of inter-communication would be established in every direction; our towns and cities would have new life infused into them, new ones would spring up, and we should be a great and prosperous people. We have the elements to become a great manufacturing people, a fertile soil producing great abundance of food, coal, lumber, iron, and stone in inexhaustible quantities; what we want is enterprise and skilled population. The agriculturist is especially interested in this great matter, for it would give him, at his door, a market for all his products, which experience has shown to be the best the world can furnish.

The next point which presents itself is, if it be our policy thus to attempt to keep pace with other States, by developing our great resources through a large increase of our population, how can it be done? Now, sir, here comes the sticking point with us. Without designing to reflect in the least degree upon our past legislation, or more properly non-action upon this subject, it has now come to this: "If the mountain will not come to us, we must go to the mountain;" or, in other words, we must do those things which other States are so successfully doing; indeed, we have more to do, for we have first to remove the prejudice existing in the minds of many of the people of foreign States against us, the result of long-continued misrepresentation and slander towards us and other Southern States, by those interested in preventing immigrants seeking homes in our midst. Other States appoint a Board of Immigration, with power

and means to keep an agency in Europe, and also agents at t principal ports of entry where the immigrant lands. These age are furnished with a liberal supply of the statistics of the Sta showing the prices of lands, demands for labor, agricultural r sources, mineral wealth, &c. By this means many have directi given to them as to their point of destination before they leave th homes in the old country. We have no proper conception of t competition that is constantly going on, to induce the immigrant go to this place or to that; and if it is our purpose and policy enter into this arena, it will cost us some money. Is its importan such as to justify us in its expenditure? This must be answered b those to whom is intrusted the welfare of the State. I was inform by one of the Commissioners of Immigration at the port of Ne York, that if the programme of the Indianapolis Convention adopted and carried out by Congress, then that Kentucky wou have to look elsewhere than to northern ports for an increase her population by immigrants; that railroad and land monopoli would always be able to offer to them inducements that Stat having no public lands or large land monopolies would be able do. It has impressed me that there is a sufficient number of oth States that are placed in the same attitude with us to justify t hope that a port of entry will be opened upon the Chesapeake Ba and I believe that I can say at this writing that the prospect is fla tering that we will soon have direct communication with Norfo and Baltimore; in the meantime, it is our duty to be up and doin Our State Board of Agriculture, by a little assistance from t State, might be required to gather, prepare, and publish the nece sary statistics. There is one point of which we should not lo sight, if we engage in this enterprise, and that is, that, in induci immigrants to come to our State, our great object is to make cit zens of them—a people of our own race.

Very respectfully,

R. J. SPURR.

Letter from Colonel Blanton Duncan to Governor Stevenson.

LEAMINGTON, August 28, 1870.

Governor J. W. Stevenson, Frankfort, Ky.:

MY DEAR SIR: Since my arrival in Europe I have made man inquiries relative to labor and emigration, and it is a source

regret that Kentucky has failed to enact such legislation as would have enabled her to seize the present favorable opportunities, the like of which I am afraid will never again be offered.

As you are aware, the Convention of last October provided for the appointment of a committee, whose duties would be a proper presentation of the signal advantages offered by the Southern States to capitalists and emigrants. Ex-President Fillmore was named as the chairman thereof; but owing to the illness of Mrs. Fillmore, he was unable to come. He has therefore done me the honor of substituting me in his place to discharge the duties which he could have done with so much more ability and influence, from the prestige of his high position and his world-wide reputation as a statesman. You were kind enough to ask me to represent Kentucky's interests whenever I could do so, and, as it is always a labor of love to advance and promote her prosperity, I shall cheerfully, on all occasions, demonstrate her superior resources and advantages. It would be impossible for me to invite the emigration of laborers and mechanics, whose scanty means would barely suffice to land them within our borders. Until an organization is effected, upon the basis of providing employment for such on arrival, or a depot wherein they can have temporary shelter and sustenance until employers come forward to take them, it would be the basest inhumanity to hold out to them any inducements to leave their old homes, where, if they are poor, they can yet manage to live in comparative comfort. The more study I give to the subject, the better I am convinced that the only true method of conducting immigration is by means of State aid and the co-operation of district and county organizations, such as I suggested to the Legislature last January. The State will have control, and can so shape it as to produce the greatest benefits. Influential men will be induced to take the lead, and the demand and supply of labor will go hand in hand.

At present I am in correspondence with a number of leading gentlemen here, who have at heart this serious question of providing for the surplus amount of skilled and industrious labor, which cannot find full and remunerative employment. By means of the Chambers of Commerce of Liverpool and other large cities, I could easily secure large audiences to whom the facts could be presented, and the cordial invitation could be tendered to make their homes in our

State and others of the South. But that would be too laborious and occupy too much time, and therefore I shall probably seek the more efficient method of embodying all my information in a letter to some of the Peers and members of Parliament of my acquaintance, and obtain its publication in the leading journals, so as to send it broadcast into every hamlet of the kingdom. There are hundreds of thousands of the best material of men and women ready and eager to emigrate, if the methods are pointed out and the necessary aid given.

Other States have seen the advantages and the wealth which good citizens pour into their borders, and several Southern Governors have requested me to call attention to their systems. In England there are many organizations for the purpose of inducing emigration to their own colonies, and the emigrant is sent free to his destination. The advantage which you would possess in making similar proposals is, that you are so much nearer to England, and the cultivated country would have more attractions than the wilds of Australia, so many thousands of miles away. The cost to the government is eighty dollars in gold to send an emigrant to Queensland. To Kentucky it would be only forty dollars, currency.

It is unnecessary for me to estimate the value of skilled labor to us in Kentucky during the transition now going on, and the probable diminution year by year of our late laboring class. Everybody knows and feels the loss, and those of good judgment perceive the vital importance of preparing a substitute. The organizations now at work in England for the colonies send all kinds of emigrants free, and provide for them temporary shelter, in the government depot, with sustenance, until they can be provided with places. At any time within a month after arrival, a free passage is given, on any of the railroads, to such points as they desire to locate in. And, to secure full protection, all single women are placed under the care of a permanent matron on the voyage and after arrival. The emigrants, excepting those who go out to act as female domestics, sign an agreement, before sailing, to reimburse the government within two years, and upon repayment of the £16 they receive forty acres of land for each grown person, and twenty acres for each child between one and twelve years of age. Those who choose to pay £4 in advance sign an agreement to return £12 in a year, and have the same allotments of land. The government assures them of

speedy employment in various callings—mechanics and skilled labor at from $2 to $3 per day in gold; shepherds, $125 to $200 a year, with rations; grooms, $200 to $250; farm servants, $125 to $150; servant maids from $100 to $200. The rations given are eight pounds of flour, twelve pounds of beef, two pounds of sugar, one quarter pound of tea, to man and wife, or one half to single persons.

The war now raging affords an additional argument for us. We have no powerful neighbors, no possibility of entanglements, no danger of conscriptions to take off the laboring population from peaceful pursuits to offer them up in bloody holocausts to the god of war. Every European nation, with its colonies, is liable to these dreadful complications and evils. Where will emigration to the United States now go from? The fields from which such teeming crops were gathered by the Northern States will be barren in future years.

There will be no surplus population in Germany for the next ten years. The dead, the maimed, and the useless population, rendered so by the camp disease and consequent destruction of health, will reach not less than 500,000 male adults before the close of the war. Their families, dependent upon them, will certainly be not less than a million. The labor market will be so depleted that there will be ample occupation for every remaining laborer in the German States, and their governments would feel bound to throw obstacles in the way of continued emigration.

From Sweden and Denmark only limited supplies can be obtained, and the younger States will not be dilatory in sending agents to England to secure the splendid elements of population awaiting invitation and assistance.

The United States did not feel the terrible losses of the war so much, because a great proportion of the Federal army was of foreigners, and the deaths were speedily compensated for by the enormous immigration. In the South those gaps are yet unfilled; but they, too, will soon seek for English labor. Will it not be unwise in Kentucky to neglect legislation which would enable her to keep pace with other States, and to compete with them in development of resources and the completion of internal improvements? I have too much respect for the intellect of public men in Kentucky to think that they will overlook her true interests, or that they will fail, in the next session of the Legislature, to take proper action.

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I will be glad to hear from you whenever convenient, and will endeavor to make practical use of any suggestions that you may advance.

Yours truly,

BLANTON DUNCAN.

Mr. Corbett moved the following resolution, viz:

Resolved, That the message of the Governor be printed with paper covers, and that the Public Printer furnish each member of the House of Representatives with one hundred copies of the same, enveloped and stamped, ready for distribution by mail.

Mr. Furber moved to amend said resolution by striking therefrom the words "one hundred," and inserting in lieu thereof the word "fifty."

And the question being taken on the adoption of said amendment, it was decided in the negative.

The resolution, as offered by Mr. Corbett, was then adopted.

Mr. Phister moved the following resolutions, viz:

1. *Resolved*, That so much of the Governor's message as relates to the Finances of the State and the Sinking Fund, be referred to the Committee on the Sinking Fund.

2. That so much thereof as relates to the Revenue of the State, be referred to the Committee on Ways and Means.

3. That so much thereof as relates to the Insurance Bureau, be referred to the Select Committee on Insurance.

4. That so much thereof as relates to our Benevolent Institutions, be referred to the Committee on Charitable Institutions.

5. That so much thereof as relates to the Penitentiary, be referred to the Committee on the Penitentiary.

6. That so much thereof as relates to the State House of Reform, be referred to the Committee on the Penitentiary.

7. That so much thereof as relates to National Cemeteries, be referred to the Committee on Federal Relations.

8. That so much thereof as relates to the State Claims against the Federal Government, be referred to the Committee on the Sinking Fund.

9. That so much thereof as relates to Labor and Emigration, be referred to the Select Committee on that subject.

10. That so much thereof as relates to Law and Order, and more efficient means to suppress lawlessness, be referred to the Committee on Revised Statutes.

11. That so much thereof as relates to the Militia, be referred to the Committee on Military Affairs.

12. That so much thereof as relates to Common Schools, be referred to the Committee on Education.

13. That so much thereof as relates to Salaries of Circuit Judges, be referred to the Committee on Circuit Courts.

14. That so much thereof as relates to Federal Relations and Civil Rights Bill, be referred to the Committee on Federal Relations.

Which were adopted.

Mr. Barret was added to the Committees on Education and the Judiciary, in the place of Mr. Lewis, resigned; and Mr. Brents was added to the Committee on Railroads, in place of Mr. Duke, resigned.

Mr. Cooper moved the following resolution, viz:

Resolved, That the reporters of the different newspapers of this Commonwealth be admitted to seats on the floor of this House, for the purpose of reporting its proceedings.

Which was adopted.

Mr. Cooper moved the following resolution, viz:

Resolved, That the Ministers of the several churches in this city be requested to open the daily sessions of this House with prayer.

Which was adopted.

On motion of Mr. Phister, leave was given to bring in a bill to incorporate the Louisville Ledger Printing Company.

Ordered, That a select committee, consisting of Messrs. Phister, Glass, and Hardin, prepare and bring in the same.

A message was received from the Senate, announcing that they had passed a bill, entitled

An act to amend the charter of the town of Nicholasville.

The rule being dispensed with, said bill was taken up, read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Phister, from a select committee, who were directed to prepare and bring in the same, reported

A bill to incorporate the Louisville Ledger Printing Company.

Which was read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be referred to the Committee on the Judiciary.

Mr. Thurmond moved the following resolution, viz:

Resolved, That this House will not authorize the payment for any newspaper that may be sent to its members, except such as may be subscribed for in pursuance of a resolution passed at the last session of this General Assembly.

Which was adopted.

Mr. Price moved the following joint preamble and resolutions, which lie one day on the table, viz:

WHEREAS, The Congress of the United States passed an act June 30th, 1864, taxing the circulating notes of State banks ten per cent., for the purpose of driving them from existence, and establishing, in their stead, national banks; and whereas, said national banks, instead of loaning their money at the rate of six per cent. per annum on notes payable one hundred and twenty days after date, as the State banks did, loan it at nine and fifteen per cent. interest on bills of exchange, running from thirty to sixty days; and these short loans and large interest are oppressing the people, and stagnating every branch of industry and trade; and whereas, this government was made to promote the interests and prosperity of the people, and not to enrich a privileged few to their detriment; and any law that oppresses them as this does, is contrary to the design and spirit of the Constitution, and ought to be repealed; and whereas, the necessity which, in the opinion of Congress, required the passage of this act, does not, in the opinion of this Legislature, now exist; therefore,

1. *Resolved by the General Assembly of the Commonwealth of Kentucky*, That we hereby most respectfully but earnestly request Congress to repeal said act; and our Senators are instructed, and our Representatives requested, to vote for its repeal.

2. *Resolved*, That His Excellency, the Governor, forward a copy of this preamble and resolutions to the President of the United States, and request him to lay the same before Congress without delay.

3. *Resolved*, That a copy of these resolutions be sent to each of our Senators and Representatives in Congress.

Mr. Riddle presented the petition of Parthena E. Falvey, praying for the passage of an act to change her name to Parthena E. Davis.

Which was received, the reading dispensed with, and referred to the Committee on Religion.

Leave was given to bring in the following bills, viz:

On motion of Mr. Corbett—

1. A bill for the benefit of John L. Ross, of Ballard county.

On motion of same—

2. A bill for the benefit of J. B. Ross, late sheriff of Ballard county.

On motion of Mr. Thurmond—

3. A bill to amend section 23, article 4, Common School Law.

On motion of same—

4. A bill to increase the jurisdiction of magistrates in this Commonwealth.

On motion of Mr. Hamlin—

5. A bill for the benefit of the town of New Concord, in Calloway, county.

On motion of Mr. Richart—

6. A bill for the benefit of Washington Morris and others, of Montgomery county.

On motion of Mr. Price—

7. A bill to amend the law concerning testimony.

On motion of same—

8. A bill to amend the charter of the Kentucky Farmers' Manufacturing Company.

On motion of same—

9. A bill for the benefit of Geo. L. Lankart, of Lexington.

On motion of same—

10. A bill to amend the charter of the Elizabethtown, Lexington, and Big Sandy Railroad Company.

On motion of same—

11. A bill to amend an act authorizing the presiding judge of Fayette county to appoint a treasurer, to serve during his term.

On motion of Mr. Silvertooth—

12. A bill for the benefit of the Mobile and Ohio Railroad Company.

On motion of same—

13. A bill for the benefit of James Lumsden, of Hickman county.

On motion of same—

14. A bill for the benefit of John W. Robinson, of Hickman county.

On motion of same—

15. A bill to amend the gaming laws of this Commonwealth.

On motion of Mr. McKee—

16. A bill to authorize the trustees of the Cincinnati Railway to acquire the right of way, and to extend a line of railway through certain counties in this Commonwealth.

On motion of Mr. Hogan—

17. A bill creating a voting precinct at Glencoe, in Gallatin county.

On motion of Mr. Hurst—

18. A bill for the establishment of a new county out of parts of Harlan, Perry, and Letcher counties.

On motion of Mr. Adair—

19. A bill to incorporate the town of Canmer, in Hart county.

On motion of Mr. Parks—

20. A bill in regard to fencing in the county of Jefferson.

On motion of Mr Furber—

21. A bill to amend an act, entitled "An act to amend the charter of the city of Covington."

On motion of Mr. Simmons—

22. A bill for the benefit of the State House of Reform.

On motion of Mr. Hendrickson—

23. A bill to amend the charter of the Concord, Tolesboro, and Mt. Carmel Turnpike Company.

On motion of Mr. Barret—

24. A bill to amend the charter of the Elizabethtown and Paducah Railroad Company.

On motion of same—

25. A bill to amend the charter of the city of Louisville.

On motion of same—

26. A bill to designate the holidays to be observed in the acceptance and payment of bills of exchange.

On motion of Mr. G. W. Anderson—

27. A bill to amend the charter of the Kentucky Real Estate and Building Company.

On motion of Mr. McCreary—

28. A bill to amend the 11th section of the 13th chapter of the Revised Statutes, title "Change of Venue."

On motion of Mr. Spalding—

29. A bill for the benefit of various school districts in Marion county.

On motion of Mr. Cooper—

30. A bill to amend section 1st of article 7th of an act to revise, amend, and reduce into one the laws relating to the common schools of Kentucky.

On motion of Mr. T. E. Moss—

31. A bill to amend the charter of the city of Paducah.

On motion of Mr. Hardin—

32. A bill to regulate the use of coupling car links on the railroads in the State of Kentucky.

On motion of same—

33. A bill to fix the time of holding the circuit courts of Nelson county.

On motion of Mr. Coffman—

34. A bill to authorize the county judge of Ohio county to sign certain orders and to legalize the same.

On motion of Mr. Quick—

35. A bill for the benefit of W. J. Bacon, of Trigg county.

On motion of Mr. Chrisman—

36. A bill for the better protection of the lives of the citizens of this Commonwealth.

On motion of Mr. Riddle—

37. A bill to require the sheriff of Union county to advertise all lands that are levied on for debt in the county newspapers, as well as at the court-house door.

On motion of same—

38. A bill for the benefit of Parthenia E. Falver.

On motion of same—

39. A bill for the benefit of the towns of Uniontown and Morganfield, in Union county.

On motion of Mr. Bascom—

40. A bill to amend the charter of the Owingsville and Wyoming Turnpike Road Company.

Ordered, That the Committee on Propositions and Grievances prepare and bring in the 1st, 6th, 12th, 13th, 15th, and 18th; the Committee on Ways and Means the 2d and 22d; the Committee on Education the 3d, 29th, and 30th; the Committee on the Judiciary the 4th, 24th, 25th, 26th, 34th, 35th, and 37th; the Committee on Corporate Institutions the 5th, 19th, 23d, 27th, and 39th; the Committee on the Revised Statutes the 7th, 28th, and 36th; the Committee on Agriculture and Manufactures the 8th and 20th; the Committee on Circuit Courts the 9th and 33d; the Committee on Railroads the 10th and 32d; the Committee on County Courts the 11th and 17th; the Committee on Religion the 38th; the Committee on Internal Improvement the 40th; a select committee, consisting of Messrs. Silvertooth, Corbett, and Duvall, the 14th; a select committee, consisting of Messrs. McKee, Wolf, Myall, Cantrill, and Chrisman, the 16th; a select committee, consisting of Messrs. Simmons, Wolf, and Harcourt,

the 21st; and a select committee, consisting of Messrs. Silvertooth, Corbett, and Spalding, the 31st.

And then the House adjourned.

FRIDAY, JANUARY 6, 1871.

The following petitions were presented, viz:

By Mr. Price—

1. The petition of William Stewart, of Nicholas county, praying for the passage of an act relieving him from the payment of all charges for keeping his wife in the Lunatic Asylum.

By Mr. Beauchamp—

2. The petition of citizens of common school district No. 9, of Hancock county, praying for the passage of an act enabling them to draw from the Treasury certain moneys for the use of said district.

Which were received, the reading dispensed with, and referred—the 1st to the Committee on Charitable Institutions; and the 2d to the Committee on Education.

A message was received from the Senate, announcing that they had passed a bill, entitled

An act in relation to the Bardstown and Louisville Railroad Company.

The rule being dispensed with, said bill was taken up, read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Phister, from the Committee on the Judiciary, to whom was recommitted a bill, entitled

A bill to incorporate the Louisville Ledger Company,

Reported the same without amendment.

Ordered, That said bill be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Silvertooth, from the Committee on Circuit Courts, who were directed to prepare and bring in the same, reported

A bill to amend the charter of the city of Paducah.

Which was read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Quick, from the Committee on Enrollments, reported that the committee had examined an enrolled bill, which originated in the Senate, of the following title, viz:

An act to amend the charter of the town of Nicholasville,

And had found the same truly enrolled.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Quick inform the Senate thereof.

On motion of Mr. Price,

The preamble and resolutions offered by him on yesterday, in relation to the tax on the circulation of State Banks, were referred to the Committee on Federal Relations.

Ordered, That the same be printed.

Mr. McKee, from a select committee, who were directed to prepare and bring in the same, reported

A bill to authorize the trustees of the Cincinnati Southern Railway to acquire the right of way, and to extend a line of railway through certain counties in this Commonwealth.

Which was read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be printed, and recommitted to the Committee on Railroads.

On motion of Mr. Wolf, leave of absence, indefinitely, was granted to Mr. Furber.

A message was received from the Senate, announcing that they had passed a bill, which originated in the House of Representatives, entitled

An act to incorporate the Louisville Ledger Printing Company.

A message was received from the Governor by Mr. Samuels, Assistant Secretary of State, announcing that he had approved and signed an enrolled bill, which originated in the House of Representatives at the last session, entitled

An act for the benefit of John J. Schoolfield, of Bracken county.

And that enrolled bills of the following titles, which originated in the House of Representatives at the last session, and which had not been returned by the Governor within the time prescribed by the Constitution, have become laws, viz:

An act to allow John Sartin to fish with nets in Green river.

An act for the benefit of the sureties of M. B. Cox, late sheriff of Morgan county.

On motion of Mr. McKee, all bills pending before this House and undisposed of at its adjournment on the 22d March last, are recommitted to the several committees who reported the same, and the Clerk is directed so to distribute them.

Mr. Silvertooth moved the following joint resolution, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That the two Houses of this General Assembly will, on Tuesday, the 10th inst. (January), at the hour of 12 meridian, proceed to elect a Public Binder; and if, on that day, there should, from any cause, be no election, the two Houses will, on each successive day, at the same hour, proceed with the same until an election is had and said office filled.

The rule requiring joint resolutions to lie one day on the table being dispensed with, said resolution was taken up and referred to the Committee on the Judiciary.

Leave was given to bring in the following bills, viz:

On motion of Mr. Harcourt—

1. A bill to amend the charter of the town of Taylorsville.

On motion of Mr. Thurmond—

2. A bill to amend the law in reference to selling spirituous liquors to minors.

On motion of same—

3. A bill to establish an additional voting place in Princeton, Caldwell county.

On motion of Mr. Price—

4. A bill to regulate the collection of tolls on such parts of the Russell Turnpike Road, in Fayette county, and the Centerville and Jacksonville Turnpike, as are now without gates.

On motion of same—

5. A bill for the benefit of E. P. Graves, of Fayette county.

On motion of Mr. Richart—

6. A bill creating a sinking fund for the county of Montgomery.

On motion of Mr Dille—

7. A bill for the benefit of Emily Wall, of Harrison county.

On motion of same—

8. A bill to amend the charter of the city of Cynthiana.

On motion of same—

9. A bill for the benefit of the Cynthiana and Connersville Turnpike Road Company.

On motion of same—

10. A bill for the benefit of the Cynthiana, Paddy's Run, and Lair's Station Turnpike Road Company.

On motion of Mr. Irwin—

11. A bill to incorporate the Germania Benevolent Society, of Louisville.

On motion of same—

12. A bill to incorporate the Teutonia Brother Bond Society.

On motion of Mr. Pope—

13. A bill amending the charter of the Louisville Pilots' Benevolent Association.

On motion of Mr. G. W. Anderson—

14. A bill to regulate certain fees of the marshal of the city of Louisville, and to provide for payment of the same.

On motion of Mr. T. E. Moss—

15. A bill to amend the 476th section of the Civil Code of Practice.

On motion of same—

16. A bill to cause the judicial records of this Commonwealth to be perfected in compliance with the law.

On motion of Mr. Duvall—

17. A bill to amend the charter of the town of Gratz, in Owen county.

On motion of Mr. Pettus—

18. A bill for the benefit of Joel W. Sallee, of Pulaski county.

On motion of same—

19. A bill for the benefit of common school district No. —, in Pulaski county.

On motion of same—

20. A bill to incorporate the Widows and Orphans' Cemetery Company, at Crab Orchard, Lincoln county.

On motion of same—

21. A bill to incorporate the Crab Orchard Lodge, No. 108, Independent Order of Odd Fellows.

On motion of Mr. DeMoss—

22. A bill to amend section 7, article 1, of an act to amend and reduce into one the laws relating to the common schools of Kentucky.

Ordered, That a select committee, consisting of Messrs. McCreary, Hardin, and DeMoss, prepare and bring in the 1st; the Committee on Propositions and Grievances the 2d and 3d; the Committee on Internal Improvement the 4th, 9th, and 10th; the Committee on the Judiciary the 5th, 7th, 8th, 14th, and 16th; the Committee on County Courts the 6th; the Committee on Corporate Institutions the 11th, 12th, 13th, 17th, 20th, and 21st; the Committee on Codes of Practice the 15th; the Committee on Privileges and Elections the 18th; and the Committee on Education the 19th and 22d.

And then the House adjourned.

SATURDAY, JANUARY 7, 1871.

The House took up for consideration the matter of disagreement between the two Houses in regard to the amendment proposed by the Senate to a bill, which originated in the House of Representatives, entitled

A bill to prevent judges from practicing law in certain cases.

The Senate having appointed a committee of conference thereon,

Ordered, That Messrs. McKee, Wolf, and Silvertooth be appointed a committee on the part of the House for the same purpose.

Leave was given to bring in the following bills, viz:

On motion of Mr. Glass—

1. A bill to authorize the county court of Garrard county to levy a tax for the purpose of liquidating an indebtedness created by it.

On motion of Mr. Price—

2. A bill to regulate the appointment of special judges of the county court of Fayette county.

Ordered, That a select committee, consisting of Messrs. Glass, McCreary, and Simmons, prepare and bring in the 1st; and the Committee on the Judiciary the 2d.

A message was received from the Governor by Mr. Samuels, Assistant Secretary of State, announcing that he had approved and signed an enrolled bill, which originated in the House of Representatives, entitled

An act to amend the mechanics' lien law of Fayette county, and for the better protection of mechanics and material men in Fayette county.

Mr. Phister, from the Committee on the Judiciary, who were directed to prepare and bring in the same, reported

A bill providing for special judges of the county court of Fayette county.

Which was read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

A message was received from the Senate, announcing that they had passed bills, which originated in the House of Representatives, of the following titles, viz:

An act to amend the charter of the city of Paducah.

An act providing for special judges of the county court of Fayette county.

That they had adopted a resolution, entitled

Resolution in regard to firing salute in honor of January 8th.

And that they had passed bills of the following titles, viz:

1. An act to amend an act, entitled "An act to incorporate the Gethsemane Male and Female Academy, of Nelson county," approved February 21, 1868.

2. An act to amend section 26, chapter 80, of the Revised Statutes, title "Real Estate."

Which were read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That they be referred—the 1st to the Committee on Corporate Institutions; and the 2d to the Committee on Revised Statutes.

Mr. McCreary, from the Committee on Revised Statutes, who were directed to prepare and bring in the same, reported

A bill to amend the 11th section of the 13th chapter of the Revised Statutes, title "Change of Venue."

Which was read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Amendments were offered thereto by Messrs. McCreary and Cantrill, which were adopted.

Ordered, That said bill, as amended, be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Glass, from the Committee on Revised Statutes, to whom was recommitted a bill, entitled

A bill to amend section 367 of the Civil Code of Practice, with the amendment offered thereto,

Reported the same back to the House.

Mr. Cogar then withdrew the said amendment.

Ordered, That said bill be engrossed and read a third time.

The rule of the house and constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Bills were reported by the several committees, who were directed to prepare and bring in the same, of the following titles, viz:

By Mr. Caldwell, from the Committee on Railroads—

1. A bill to amend an act, entitled "An act to incorporate the Elizabethtown, Lexington, and Big Sandy Railroad Company."

By Mr. Glass, from a select committee—

2. A bill authorizing the county court of Garrard county to levy a tax for the purpose of paying off an indebtedness created by it.

Which were read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That the first be recommitted to the Committee on the Judiciary, and that the second be postponed to, and made the special order of the day for, Monday, the 9th inst., at 11 o'clock, A. M.

Mr. Price moved that the Public Printer be directed to print 1,000 copies of the report of the Superintendent of the Eastern Lunatic Asylum, for the use of the said Asylum and the members of the House.

And the question being taken on said motion, and no quorum voting thereon, the Speaker decided said motion was lost.

Mr. Price then moved a call of the roll, which being ordered, the following members were present, viz:

Mr. SPEAKER (Bunch),	H. G. Duerson,	Thomas H. Moss,
William Adair,	John Duvall,	Edward Myall,
Wm. F. Barret,	M. W. Ferguson,	Joshua B. Parks,

P. W. Barron,
Alpheus W. Bascom,
Rob't C. Beauchamp,
D. M. Bowen,
Samuel W. Brents,
Howell Brewer,
William B. Caldwell,
James E. Cantrill,
Landon Carter,
J. S. Chrisman,
A. T. Coffman,
Thomas T. Cogar,
R. L. Cooper,
Thomas H. Corbett,
Joseph M. Davidson,
F. R. Davis,
Asbury Dawson,
J. C. DeMoss,
George R. Diamond,
N. C. Dille,
D. E. Downing,
James P. Ford,
W. W. Frazer,
Robert T. Glass,
D. Hambleton,
Ashton P. Harcourt,
J. B. Hays,
A. J. Hendrickson,
Elijah Hogan,
Jeff. Holeman,
Elijah Hurst,
William Irwin, sr.
Alfred M. Jones,
John W. Kendall,
James Kilgore,
Francis M. Lowe,
James B. McCreary,
Wm. J. McElroy,
George R. McKee,
Mason Morris,
Thomas E. Moss,
E. A. Pearson,
W. H. Pettus,
Elijah C. Phister,
Alfred T. Pope,
Douglass L. Price,
G. W. Quick,
William S. Richart,
George W. Riddle,
George W. Silvertooth,
Robert Simmons,
Richard M. Spalding,
George W. Terrell,
P. M. Thurmond,
W. J. Webb,
A. D. Weller,
John F. Wight,
L. Wilson,
John Wolf,
S. M. Wrather,
Hugh H. York—70.

Mr. Price then renewed his motion to print said report.

And the question being taken thereon, it was decided in the affirmative.

The House then took up bills heretofore reported, of the following titles, viz:

1. A bill to provide for the erection and keeping up safeguards on turnpike roads.

2. A bill to regulate tolls on turnpike roads.

Ordered, That said bills be again placed in the orders of the day, and that the first be printed.

Mr. Quick, from the Committee on Enrollments, reported that the committee had examined an enrolled bill, which originated in the Senate, of the following title, viz:

An act in relation to the Bardstown and Louisville Railroad Company,

And had found the same truly enrolled.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Quick inform the Senate thereof.

The House then took up a resolution from the Senate, entitled

Resolution in regard to firing salute in honor of January 8.

Said resolution was twice read and unanimously concurred in.

Mr. Richart, from a select committee, to whom was recommitted a bill, entitled

A bill to regulate the pay of officers and attaches of the Senate and House of Representatives, and for other purposes,

Reported the same without amendment.

Mr. McCreary moved to reconsider the vote by which said bill was ordered to be read a third time.

And the question being taken thereon, it was decided in the affirmative.

Ordered, That said bill be printed and placed in the orders of the day.

A message was received from the Governor by Mr. Samuels, Assistant Secretary of State, which was taken up and read as follows, viz:

STATE OF KENTUCKY, EXECUTIVE DEPARTMENT,
FRANKFORT, January 6, 1871.

Gentlemen of the House of Representatives:

A bill was laid before me upon the day preceding your last adjournment, entitled "An act to incorporate the Southern and Western Real Estate Company."

The bill confers upon certain corporators named therein all the usual corporate franchises, immunities, and privileges contained in ordinary acts of incorporation, authorizing the company to conduct a business of purchasing, holding, selling, leasing, and mortgaging real estate or lands, and all and every kind of titles or interests. Had the bill conferred no other power, it would have been unobjectionable.

It, however, under the title of a Real Estate Company, authorizes the company to buy and sell notes, bills of exchange, bonds, stocks, and all kinds of securities; to loan money on mortgages or other liens of real estate, upon collaterals of any kind and pledges of personal character; all of which last business they are authorized to do for themselves, or on commission for others.

A fair construction of this bill confers upon this company the power to engage in four distinct kinds of business.

1st. A general real estate business.

2d. A most extensive banking business.

3d. A pawnbroker's business.

4th. A general brokerage and commission business, all under one subject contained in the title.

By section 37 of article 2 of the Constitution of Kentucky, the General Assembly are prohibited from enacting any law which relates to more than one subject, unless the same shall be expressed in the title.

It is true that this bill, after conferring the most extensive power as to loaning money, buying and selling bills, &c., contains the remarkable provision, that this company shall not do "a banking business."

But this provision could scarcely limit the substantive powers already expressly enumerated and granted.

I am, therefore, constrained to return the bill without my approval.

J. W. STEVENSON.

The bill referred to in said message reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That Geo. W. Norton, Wm. A. Merriwether, Theodore Harris, J. H. Lindenberger, Jas. F. Irvine, W. Geo. Anderson, E. S. Graham, B. H. Bristow, and Richard Isaacs, and their associates and successors, are hereby created a body corporate, under the name and style of the Southern and Western Real Estate Company; and by that name may sue and be sued, contract and be contracted with; have a common seal, which they may alter or renew at pleasure; and do and perform all acts which bodies corporate may do under the laws of the State of Kentucky.

§ 2. The business of said company shall be the purchasing, holding, selling, leasing, and mortgaging real estate or lands, and all and every kind of titles or interests therein; buying and selling notes, bills of exchange, bonds, stocks, and all kinds of securities; loaning money on mortgages or other liens on real estate, collaterals of any kind and pledges of personal property—all of which business they may do for themselves, or on commission for others; and do all things necessary, proper, and usual in conducting and carrying on the business: *Provided*, Said company shall not do banking business.

§ 3. The capital stock of said company shall be two hundred and fifty thousand dollars, divided into shares of one hundred dollars each; any three or more of the corporators herein named may open books and receive subscriptions of stock, after having first given ten days' notice of the time and place, by publication in one or more of the daily newspapers published in the city of Louisville; and after fifty thousand dollars shall have been subscribed, they shall in like manner call a meeting of the subscribers, who shall proceed to elect five directors to serve for one year, and until their successors are elected and qualified; and there shall annually thereafter be a meeting of the stockholders to elect directors; the directors shall have the general management of the business of said company, and shall elect or appoint such officers and agents as they may deem needful in conducting and carrying on the business of said company.

§ 4. Said directors shall have power to make calls for the payment of the subscriptions to the capital stock of the company at any such times, and in any amounts they may deem expedient; and may also begin the business of said company whenever they shall think proper: *Provided, however*, That at least five thousand dollars shall be paid in before they shall do business under this act.

§ 5. All conveyances of lands, or of any interest therein required to be in writing, made by said company, shall be sufficient to pass and transfer the title or possession as shall be intended thereby, when the same shall have been signed by the president of the company, or other person, as may be designated for that purpose by the by-laws of the company and attested by its seal.

§ 6. The directors may adopt by-laws for their government, and regulating the affairs of the company and conducting its business, and alter and amend the same: *Provided*, They shall not be contrary to the laws of the Commonwealth or of the United States.

§ 7. The stock in this company shall be considered and pass as personal estate, and be transferable on the books of the company in such manner as the directors by their by-laws shall prescribe. But no stock shall be transferred until all the debts and demands against the stockholders are discharged; and the company shall have a lien on the stock for all debts and demands thereon.

§ 8. This act to take effect from and after its passage.

And then, in pursuance to the provisions of the Constitution, the question was put to the House, "Shall the bill pass, the objections of the Governor to the contrary notwithstanding?" and it was decided in the negative.

The yeas and nays being required thereon, in pursuance to a provision of the Constitution, were as follows, viz:

In the affirmative—none.

Those who voted in the negative, were—

Mr. SPEAKER (Bunch),	N. C. Dille,	Thomas E. Moss,
William Adair,	D. E. Downing,	Thomas H. Moss,
Silas Adams,	H. G. Duerson,	Edward Myall,
Wm. F. Barret,	John Duvall,	Joshua B. Parks,
P. W. Barron,	James P. Ford,	E. A. Pearson,
Alpheus W. Bascom,	W. W. Frazer,	W. H. Pettus,
Rob't C. Beauchamp,	D. Hambleton,	Elijah C. Phister,
D. M. Bowen,	Ashton P. Harcourt,	Alfred T. Pope,
Samuel W. Brents,	J. B. Hays,	Douglass L. Price,
Howell Brewer,	A. J. Hendrickson,	G. W. Quick,
William B. Caldwell,	Elijah Hogan,	William S. Richart,
James E. Cantrill,	Jeff. Holeman,	George W. Riddle,
Landon Carter,	Elijah Hurst,	George W. Silvertooth,
J. S. Chrisman,	William Irwin, sr.	Robert Simmons,
A. T. Coffman,	Alfred M. Jones,	Richard M. Spalding,
Thomas T. Cogar,	John W. Kendall,	George W. Terrell,
R. L. Cooper,	James Kilgore,	P. M. Thurmond,
Thomas H. Corbett,	Francis M. Lowe,	A. D. Weller,
Joseph M. Davidson,	J. J. McAfee,	John F. Wight,
F. R. Davis,	James B. McCreary,	L. Wilson,
Asbury Dawson,	Wm. J. McElroy,	John Wolf,
J. C. DeMoss,	George R. McKee,	S. M. Wrather,
George R. Diamond,	Mason Morris,	Hugh H. York—69.

And so said bill was rejected.

A message was received from the Governor by Mr. Samuels, Assistant Secretary of State, which was taken up and read as follows, viz:

STATE OF KENTUCKY, EXECUTIVE DEPARTMENT,
FRANKFORT, January 6, 1871.

Gentlemen of the House of Representatives:

A bill which originated in your House, entitled "An act to amend an act to amend chapter 15, title 10, Civil Code of Practice," approved March 16, 1869, to apply to Mercer county, was laid upon my table the day before your adjournment, in March last.

I mean to express no opinion of the policy of the amendment contemplated by this bill to the Code of Practice. It would promptly have received my approval had its operation extended to the whole Commonwealth, instead of being confined to a single county. The spirit of the Constitution, if not its letter, exacts that all general laws shall be uniform and equal in their operation upon all the people of Kentucky. They cannot and should not apply to one county. If the proposed legislation contemplated by an amendment of the Code of Practice regulating the sale of infants' real estate be deemed beneficial and wise, apply its operation to the whole people of the Commonwealth. If such legislation be impolitic and unwise, then it should apply to none.

If one provision of our Civil Code of Practice is to be confined exclusively in its operations to one county, and another provision to a different county alone, then the civil procedure in our courts, and the jurisdiction of the courts themselves as to such amendments, will be neither equal nor uniform.

Such legislation would lead to the most mischievous results.

I am, therefore, constrained to withhold my approval to this bill, because its application does not extend to the entire Commonwealth.

J. W. STEVENSON.

The bill referred to in said message read as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That in all cases wherein a judgment or decree for the sale of an infant's real estate has been rendered, or may hereafter be rendered, upon the petition of the guardian of such infant, and a sale has been made under such judgment or decree, and it shall appear that there are such errors or defects in the proceedings in which the judgments or decree was obtained as will or may vitiate the same, it shall be lawful for such guardian, or any purchaser of the estate, or any party interested therein under such judgment or decree, or otherwise, to file his petition in the court rendering the same, making the infant and all other persons interested parties, reciting the facts of such proceeding, judgment or decree, and sale, and averring that the sale was fairly made, and at the reasonable value of the property, and that the price was paid by the purchaser, and that the price paid was expended by the guardian in the necessary support, education, and nurture of the infant, or had been invested or held, upon ample security, for the benefit of the infant; and that the sale was, at the time, beneficial to the infant, which petition shall be sworn to by such guardian or purchaser, or interested party filing the same.

§ 2. And when suit has been instituted by such infant, or any one claiming under him, for the recovery of said real estate, or any part

thereof, on the ground of such errors or defects in the proceedings in which the judgment or decree was obtained, it shall be lawful for such guardian or purchaser, or interested party who is made a defendant to such actions, to file an answer and cross-petition against the plaintiffs and all other parties interested, reciting in said answer and cross-petition all the facts, and making all the averments required by the first section of this act, which answer and cross-petition shall be sworn to by the party filing the same; and the defendants in such cross-petition shall be summoned to answer the same as if it were an original petition.

§ 3. Upon the filing of a petition or cross-petition, and the parties being regularly before the court, it shall proceed to hear proof; and if satisfied of the truth of the allegations, it shall render a judgment or decree confirming the original judgment or decree, and sale, which shall render the same as valid and binding in all respects as if the original proceeding had been in every particular according to the requirements of the law; and this act is to have the same effect, whether the original sale made under such judgment or decree was confirmed or not by the court.

§ 4. This act shall take effect from and after its passage, and shall apply to actions now pending as well as those that may be hereafter instituted. But this act is only to apply to Mercer county.

And then, in pursuance to the provision of the Constitution, the question was put to the House, "Shall the bill pass, the objections of the Governor to the contrary notwithstanding?" and it was decided in the negative.

The yeas and nays being required thereon, in pursuance to a provision of the Constitution, were as follows, viz:

In the affirmative—none.

Those who voted in the negative, were—

Mr. SPEAKER (Bunch),	D. E. Downing,	Edward Myall,
William Adair,	John Duvall,	Joshua B. Parks,
Silas Adams,	James P. Ford,	E. A. Pearson,
Wm. F. Barret,	W. W. Frazer,	W. H. Pettus,
P. W. Barron,	Robert T. Glass,	Elijah C. Phister,
Alpheus W. Bascom,	D. Hambleton,	Alfred T. Pope,
Robert C. Beauchamp,	Ashton P. Harcourt,	Douglass L. Price,
D. M. Bowen,	J. B. Hays,	G. W. Quick,
Samuel W. Brents,	A. J. Hendrickson,	Wm. S. Richart,
Howell Brewer,	Elijah Hogan,	George W. Riddle,
Wm. B. Caldwell,	Jeff. Holeman,	G. W. Silvertooth,
James E. Cantrill,	Elijah Hurst,	Robert Simmons,
J. S. Chrisman,	Wm. Irwin, sr.,	Richard M. Spalding,
A. T. Coffman,	Alfred M. Jones,	George W. Terrell,
Thomas T. Cogar,	James Kilgore,	P. M. Thurmond,
R. L. Cooper,	Francis M. Lowe,	W. J. Webb,
Thomas H. Corbett,	G. W. Little,	A. D. Weller,
Joseph M. Davidson,	James B. McCreary,	John F. Wight,

F. R. Davis,	William J. McElroy,	L. Wilson,
Asbury Dawson,	George R. McKee,	John Wolf,
J. C. DeMoss,	Mason Morris,	S. M. Wrather,
George R. Diamond,	Thomas E. Moss,	Hugh H. York—68.
N. C. Dille,	Thomas H. Moss,	

And so said bill was rejected.

A message was received from the Governor by Mr. Samuels, Assistant Secretary of State, which was taken up and read as follows, viz:

STATE OF KENTUCKY, EXECUTIVE DEPARTMENT,
FRANKFORT, January 6, 1871.

Gentlemen of the House of Representatives:

I herewith return without my approval a bill, entitled "An act to repeal the charter and amended charter and incorporate the town of Millersburg," which was laid before me on the day preceding your last adjournment.

This bill confers upon the police judge of Millersburg the same authority to take the acknowledgments of deeds, powers of attorney, &c., and certify the same, as is now possessed by the county court clerks. It operates to this extent as an amendment of the general law on the subject of conveyances.

No general law should be amended by a private act of incorporation. All acts amending, by enlargement or limitation, the officers designated to take the acknowledgment of deeds, should be general, not local.

But besides, if one police judge be clothed with the authority to take acknowledgments, all police judges in the Commonwealth should be clothed with the same power; otherwise it is special personal legislation, which the Constitution forbids. If it be deemed wise to confer on police judges the authority to take acknowledgments of deeds, let the statute of conveyances be so amended.

I cannot approve any local bill which singles out a single police judge of a designated village, to clothe him with a power not conferred on other police judges, and therefore I withhold my approval.

J. W. STEVENSON.

The bill referred to in said message reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That all acts and parts of acts incorporating the town of Millersburg be, and they are hereby, repealed, and the said town is hereby incorporated: *Provided, however*, That this act shall in nowise affect the property or other rights of individuals, or of said town, or the liabilities of said town as a corporation; but all such rights and liabilities shall remain as if this act had not been passed.

§ 2. The board of trustees of said town now in office shall remain in office, and exercise all the powers granted to the trustees of said town by this act, and shall be subject to all the liabilities, and discharge all the duties imposed by this act, in the same manner as if

they had been elected under it, until their successors are elected and qualified.

§ 3. The fiscal, prudential, and municipal affairs of said town shall be managed and controlled by five trustees, to be chosen annually on the first Monday of August in each year, to serve for the term of one year, or until their successors shall be elected and duly qualified. Each white male citizen and tax-payer in said town over the age of twenty-one years, and who has paid his tax the previous year, shall be a qualified voter. The board of trustees to be composed of freehold white male citizens and residents of the town, and over twenty-one years of age. They shall, before they proceed to act, take an oath before a justice of the peace that they will faithfully and impartially discharge the duties of their offices to which they have been chosen, agreeably to the Constitution and laws of this Commonwealth; and the officer administering such oath shall certify the fact to the board of trustees, and such certificate shall be spread upon the records of the board.

§ 4. That in the event a vacancy shall occur in the board of trustees, the remaining members thereof shall have power to fill said vacancy, and the person so chosen shall have the same qualifications and shall take the same oath that was required of the former members.

§ 5 The trustees of said town and their successors shall be a body-politic and corporate, and sh ll be known and styled "The Board of Trustees of Millersburg," and by that name may sue and be sued, contract and be contracted with; they may have and use a common seal, and alter the same at pleasure.

§ 6. The trustees shall appoint two competent citizens as judges of the election, and one of the board as clerk, who shall hold and preside over the election, first giving at least ten days' public notice of the time and place of the same. The town marshal to act as sheriff at all elections.

§ 7. The board of trustees may fix the times of their regular meetings, and the mode of calling special meetings. Three trustees shall constitute a quorum for the transaction of all business except such as shall be hereafter specified. They shall elect one of their number president of the board, and in his absence may elect a president for the occasion. The officer presiding shall sign the records of the proceedings of each meeting, when approved by the board, and shall put questions and preserve order. The trustees shall have power to provide, by by-laws, for punishing any one guilty of disorderly conduct in their presence while in session. They shall have authority, all the members being in session, to make, alter, or abolish such by-laws for the regulation of the police of said town, not inconsistent with the laws of the Commonwealth, as they may deem necessary and beneficial for the interests of the town. They may take and hold real estate or personal property by purchase, devise, bequest, or otherwise, for the use and benefit of said town, and may lease or sell and convey the same; and they may lease or sell any such property now owned by such town, except the public square.

§ 8. The board of trustees, all the members being in session, shall have power to dig and build wells and cisterns in said town, to regulate the storage and other combustible materials, or materials of an unhealthy character, which may endanger the safety of said town or the health of any of its inhabitants; they may require chimneys, flues, or stove-pipes, which may endanger the safety of property, to be repaired or changed so as to render them safe, and may provide, by suitable penalties, for compelling obedience to their orders; they may require the owners or occupiers of property fronting on streets or alleys to keep the streets or alleys in front of them clean, and in case of failure or refusal, after three days' notice in writing to such owner or occupier, they may cause the same to be done, and recover the cost thereof of the owner or occupier of the property; they may require butchers, hucksters, and all other persons dealing in general marketing in said town, to obtain a license therefor, and impose a tax for said license; they may prevent the exhibition of stud-horses, jacks, or bulls, on the streets or alleys of said town, or the exhibition of immoral or obscene shows or pictures in said town; they may organize fire companies, and appoint the necessary officers, and provide engines, buckets, and other things necessary for the fire department; they may purchase or lease ground, in or near town, and erect thereon a town prison, and also erect a pest-house, and provide, by by-laws, for placing and confining therein any person afflicted with a malignant disease, and shall provide for the comfort and well-being of any person placed therein.

§ 9. The board of trustees, all being in session, shall have power to cause any of the streets or alleys of said town to be graded, paved with stone or gravel, or guttered, or otherwise improved, and the cost of the same shall be paid out of the treasury of said town; they may require the owners of lots fronting on any of the streets or alleys of said town to curb and pave with brick, stone, gravel, or plank, the sidewalks of said streets or alleys, at the cost of said owner; and, upon the failure of the owner or owners of such lots to curb and pave said sidewalks as required by the board of trustees, the board may have the same done, and charge the cost thereof to the owner; and if the said owner or owners of lots, where sidewalks are so curbed and paved and charged by the board, shall fail to pay to the board of trustees the cost thereof within three months after said work has been done, the board of trustees shall have power to sell the said lot or lots, or so much thereof as will pay the amount so expended, and have the same conveyed to the purchaser. The sale shall occur on the premises, and be conducted by such officer as the board may appoint, after advertising the same, as required by law in the sale of real estate under execution: *Provided, however*, That said property may be redeemed within twelve months from day of sale by the payment of the principal sum and ten per cent. interest thereon; but property thus sold belonging to minors may be redeemed within two years after said minors have attained twenty-one years of age. The board may, however, whenever it shall deem it prudent and just to do so, pay out of the treasury of said town an amount not exceeding one

half of the cost of curbing and paving any sidewalks on the streets of said town; they shall have power to abate all nuisances and obstructions, and to cause all stables, pens, and privies, which shall become offensive, to be cleansed or discontinued; and shall prevent the standing of all studs, jacks, and bulls, within the limits of the town.

§ 10. The board of trustees, all being in session, shall have power to levy and collect an annual tax on the real estate of said town, not exceeding fifty cents on the one hundred dollars' worth, and on all other property now subject to a State tax not exceeding twenty-five cents on the one hundred dollars; also, to levy and collect, annually, a poll tax not exceeding two dollars on each male of twenty-one years of age; they may, at their discretion, tax all vendors of spirituous, malt, or vinous liquors, hotel-keepers, coffee-house-keepers, confectioners, livery-stable keepers, insurance agents, auctioneers, peddlers, brokers, butchers, gift enterprises, shows, or exhibitions exhibiting in said town or within one mile of it; and they may tax any person doing business in said town, after the regular assessment has been made for the year, such proportion as the residue of the year bears to the whole year; they may require all vendors of spirituous, vinous, or malt liquors in said town to close their doors, and keep them closed, and not to sell any such liquors on Sundays, election days, or on such other public days and occasions as may be deemed proper by said board.

§ 11. That if any vendor of spirituous, malt, or vinous liquors shall permit any disorderly or scandalous behavior in his house or on his premises, or shall permit unlawful gaming in his house or on his premises, or shall fail to close his bar-room doors in obedience to ordinances or by-laws which may be passed under the provisions of this act; or if any vendor of spirituous, vinous, or malt liquors permit any one to drink to intoxication in his or her house, or on their premises, they, or any of them, shall, on conviction, be fined for the first offense not less than five dollars nor more than fifty, at the discretion of the court, and on the second conviction the fine shall not be less than twenty dollars nor more than one hundred; and if the fine is not forthwith paid or replevied, with good security, he or they shall be confined in the Bourbon county jail or the town prison one day for each two dollars of the fine and costs.

§ 12. The board of trustees of said town shall have power, by suitable ordinances or by-laws, with adequate penalties, not, however, to exceed one hundred dollars fine or fifty days' imprisonment, or both, to suppress tippling-houses, bawdy-houses, gambling-houses, and to punish any one guilty of rioting, disturbing the public peace, disorderly or indecent conduct or language, disturbing religious worship, schools, public speaking, or teachers, drunkenness, and of using profane language, and to pass all such by-laws or ordinances as shall be necessary and proper to carry out any power given by this charter, or for the suppression and punishment of all such disorders and irregularities as shall, in their judgment, be deemed prejudicial to the good order and quiet of said town; and may also define what offenses shall be considered a breach of the good order of said town.

§ 13. The board of trustees shall publish, annually, at the expiration of the term of each board, an account of all the money received by them, and all the payments made out of the treasury during the year, and the amount of debt of the town, which statement shall be made out by the clerk, signed by him and by the president of the board.

§ 14. The board of trustees shall, at their first meeting, appoint a clerk, whose duty it shall be to attend all the meetings of the board, and to make a full and complete record of all their transactions and proceedings, in a book to be furnished him by said board; he shall keep all the papers and documents of said town, and perform all the duties which may be prescribed for him by said board not inconsistent with this act. Said clerk shall, before entering upon the discharge of his duties, take the oath of office prescribed by the Constitution of this State, and also an oath faithfully to discharge all his duties under this act; he shall hold his office until the first Monday in August next following his appointment, and until his successor be duly elected and qualified, unless sooner removed by the board for dereliction of duty, or other cause, of which the said board shall be the sole judges. The salary of the clerk shall be fixed by the board of trustees.

§ 15. Each board of trustees shall also, at their first meeting, appoint a town treasurer, and take bond from him, with approved security, conditioned for the faithful disbursement of all moneys received by him, as ordered by the board, and that he will settle his accounts, and pay over to his successor any balance in his hands at the expiration of his term of office; and the trustees may, at any time, require him to renew his bond, or give additional security; and, on his failure to do so, within five days after a written notice, signed by the clerk of the board, has been served on him by the town marshal, he may be removed and a successor appointed. The town marshal, or other officer collecting fines, taxes, or money recovered in the police court, or any magistrate's court, for the use and benefit of said town, or trustees of said town, shall pay the same over to the town treasurer, and take his receipt therefor and file it with the clerk of the board, who shall note it on the records. The treasurer shall pay out no money, except on the order of the board, certified by the clerk and indorsed by the president of the board. The treasurer shall be allowed for his services such compensation as the board may provide: *Provided, however*, That no member of the board be appointed treasurer.

§ 16. Said board shall, at their first meeting, appoint a town assessor, which assessor shall be qualified within ten days after his appointment, to faithfully and impartially discharge his duties. It shall be the duty of the assessor to take a list of all the taxable property in said town, together with the cash value of such property and the name of the owner or owners thereof; and he shall make such division of the different species of property, in separate columns of his book, as the board may direct; he shall list, also, all male persons over twenty-one years of age, who are subject to a poll tax; and shall also list and report, separately, a list of all the houses, stores, and taverns, persons and things, upon which a specific tax is levied by the by-laws and ordinances of said town, together with the names of the owners or

agents of such houses, stores, taverns, and things; he shall file with the clerk of the board his books containing the above mentioned list on or before the first day of November of each year.

§ 17. He shall call on persons from whom taxes are collectable for a list of their taxable property, and may administer to such persons the following oath or affirmation: "You do solemnly swear (or affirm), that this list of taxable estate given in by you contains a full and complete list of all and every species of property belonging to you, or in your possession, subject to taxation on the first Monday in August last, under the ordinances of the town of Millersburg; and that you will true and perfect answers make to such questions as may be asked you concerning your taxable estate: so help you God." And if any person should refuse to take such oath, or affirmation, or to give a list of his or her taxable property, the assessor may assess the same from the best of his information.

§ 18. The board shall have power to correct any errors or omissions that may have been made by the assessor in his list of assessments that may occur to them from their own observation, or by application of the party aggrieved.

§ 19. All property taxed according to value shall be valued as of the first Monday of August preceding, and the person owning or possessing the same on that day shall list it with the assessor, and remain bound for the tax, notwithstanding he or she may have sold or parted with the same: *Provided, however*, That this section shall not be so construed as to defeat the right of the board to tax any person for doing business in said town, after the regular assessment has been made, as is provided in section ninth of this act.

§ 20. Taxes levied by this act shall be due and payable in the same year in which the property is assessed; and the town of Millersburg shall have a lien for such taxes, on the property of each person assessed for taxation, which shall not be defeated by sale or alienation.

§ 21. The board may provide, by ordinance, that seven per cent. shall be added on all taxes not paid by the first day of January in each year, which per centage shall be accounted for by the collector of the town: *Provided*, That at least three written notices be posted in conspicuous places in said town one month prior thereto.

§ 22. There shall be elected, by the voters of said town, qualified to vote for trustees, on the first Monday in August, 1870, and biennially thereafter, on the first Monday in August, a police judge, who shall hold his office for two years, and until his successor is elected and qualified. No person shall be a police judge who is not twenty-five years of age, and who has not been a citizen of said town for two years next preceding the election. Before entering upon the duties of said office, he shall take the same oaths as are required of county judges.

§ 23. There shall be established in said town a court, to be styled the police court of Millersburg, which court shall be held by the police judge; said court shall have exclusive original jurisdiction in all prosecutions for violations of any of the provisions of this charter, and of the ordinances and by-laws of said town, and jurisdiction of all pleas

of the Commonwealth, arising within the limits of said town, except cases of felony; and it shall also have exclusive original jurisdiction in all civil cases where, by the laws of this State, justices of the peace within the county of Bourbon are, or shall be, authorized to hear and determine, or in any manner have power to act. It shall have power to take recognizances from persons charged with offenses cognizable before said court to appear and answer, the same that circuit courts have, and like power to forfeit the same, and proceed in the same way that circuit courts are directed to proceed; it may commit persons to the county jail, town prison, or work-house, in default of bail, and shall have all the powers for arrests, trial, conviction, and punishment of persons for all the offenses over which it has jurisdiction, that are given the several courts of this State having jurisdiction over like offenses; and may proceed in the same way for the trial of such offenses, and may inflict the fines and punishments, and enforce the collection of the same, as such courts are, by law, authorized to do.

§ 24. Said police court shall have original and concurrent jurisdiction of all cases of riots, routs, unlawful assemblies, assaults, batteries, affrays, or other breaches of the peace, committed within the limits of said town; it shall also have original and concurrent jurisdiction over all cases of larceny of goods, chattels, or other things of less value than four dollars, committed within the limits of said town, and over all cases of vagrancy therein.

§ 25. In all cases of felony, and in all cases of misdemeanor, where the fine imposed by law may exceed one hundred dollars, said police court shall constitute only a court of inquiry, or examining court, and shall be governed by the provisions of the Criminal Code of Practice regulating the proceedings in such courts.

§ 26. Said court may be held at any time for the trial of cases over which it has jurisdiction; and the provisions of the Criminal Code of Practice, except where inconsistent with this act, shall apply to proceedings in all such cases.

§ 27. All warrants, issued by the police judge for offenses committed in said town in violation of the provisions of this act, or the by-laws and ordinances of said town, shall be in the name of the Commonwealth of Kentucky, for the benefit of the trustees of the town of Millersburg, and shall be executed by the marshal, or any peace officer of the county to whom they are delivered, and returned to the police court for trial; all other warrants issued by said court shall be in the name of the Commonwealth of Kentucky, and may be returned by the marshal, or other peace officer to whom they are delivered, to the police court, county judge, or justice of the peace, for trial; said police court shall have power to take bail for the appearance of persons charged with offenses within its jurisdiction, at a subsequent day, for trial, or to indorse on warrants issued the sum in which the defendant may be admitted to bail, by the officer making the arrest, for his or her appearance, on a day to be fixed by such officer; and in case any defendant shall fail to appear in discharge of his or her bail, may declare the same forfeited, and proceed as hereinbefore (section 22) directed: *Provided, however*, That the bail required

of a defendant shall not exceed, in any case, the amount of the fine which might be imposed.

§ 28. The fines and forfeitures recovered in said police court, or in any magistrate's court, in cases arising in said town, are hereby granted to the town of Millersburg.

§ 29. Said court may issue *capias pro fine* on all its judgments, and in all cases where a *capias pro fine* may be issued by said court, it may enter a judgment specifying that the person convicted shall be confined in the county jail, town prison, or at labor in the workhouse, until the fines assessed against him or her, and the costs of the prosecution, are discharged, at the rate of two dollars per day: *Provided, however*, That the person so arrested and confined shall, by paying the full amount of said fine and costs, be discharged from custody.

§ 30. The police judge shall be commissioned by the Governor, and shall be a conservator of the peace; and he may order arrrests for all offenses against the laws of the State or ordinances of the town of Millersburg, and for those committed in his presence may order arrests without warrant; the person offending to be dealt with according to the laws of the State or ordinances of the town. He may administer oaths, and issue and try writs of *habeas corpus*. Said judge shall be his own clerk. The said police judge shall have the same power and authority to take the acknowledgments of deeds and powers of attorney, and to take the privy examination of *femes covert*, and certify the same, that clerks of the county courts have within this Commonwealth, and his certificate shall authorize the recording thereof in like manner; and he shall have and be entitled to receive a fee of fifty cents for each certificate so made. He shall also have power and authority to take depositions in said town, in all cases where examiners are now authorized by law to take the same, and shall be entitled to the same fees as they are by law allowed for like services.

§ 31. The said judge may charge and collect the following fees: For issuing a warrant, cognizable in his court, fifty cents; for swearing a jury and presiding at the trial, two dollars; for presiding at a trial where no jury is required, one dollar; for each subpœna, twenty-five cents; for a recognizance or other bond, seventy-five cents; for a bond to keep the peace, to be paid by the applicant, one dollar; for holding a court of inquiry or examining court, two dollars; for all other services he shall be allowed the same fees as are allowed county judges or justices of the peace for similar services; and he shall be entitled to collect his fees in the same way that justices of the peace are now allowed by law to do.

§ 32. Appeals may be taken from judgments of the police court to the Bourbon circuit court, in any case where such party have a right to appeal from a judgment of a justice of the peace, and the appeal shall be taken in the same manner, within the same time, and on the same conditions, as from the justices' court.

§ 33. In case of absence or inability of the police judge to hold his court, the trustees, or a majority of them, shall act in his stead.

§ 34. The trustees shall elect, at their first meeting, all being present, a town marshal, for the term of one year, who shall continue in office until his successor is qualified, unless sooner removed, as hereinafter provided. He shall, before so doing, execute a bond before said board of trustees, with two good and sufficient securities, to be approved by the board, in substance as follows: We, ———, marshal of the town of Millersburg, and ———, and securities, jointly and severally bind and oblige ourselves to the Commonwealth of Kentucky, that the said ———, as marshal of the town of Millersburg, shall well and truly execute, and due return make, of all process, notices, orders, and precepts to him directed, and to him delivered, by the police court of the town of Millersburg, trustees of said town, and any magistrate of Bourbon county; and will pay and satisfy all sums of money by him received upon any such process or precept, or any note, account, fee bills, taxes of the town of Millersburg, fines, or other claims placed in his hands for collection to the person entitled thereto; and in all other things shall faithfully and truly discharge all the duties of said office during his continuance therein. He shall also, previous to entering upon his said duties, in addition to the oaths prescribed by the Constitution of this State, take an oath before the said board, in substance: "that he will do right as well to the poor as to the rich, in all things belonging to his office; that he will do no wrong to any person for any gift or reward, nor for favor or hatred; that in all cases he will promptly, truly, and faithfully execute the duties of his office according to the best of his ability." It shall be noted on the records of said town that such bond and oath had been taken, and they shall be filed with the papers of said town.

§ 35. Any person injured by a breach of said bond may, in any court having jurisdiction, prosecute suit or motion thereon in their own name against the marshal and his securities, in the manner now prescribed by law for proceeding against sheriffs or constables in cases of delinquency or breach of official duty.

§ 36. The board of trustees may, at any time, for good reasons, require said marshal to give additional security on his bond; and they may, upon failure so to do within five days' after he has been notified by said board to give said security, by notice in writing, signed by the clerk of the board, declare his office vacant, and appoint a successor. The board may remove the town marshal for malfeasance, misfeasance, or non-feasance in office, and appoint a successor: *Provided, however*, That it shall require the votes of four trustees to remove said marshal for any of the causes aforesaid, except his failure to give additional security. The board of trustees shall be the sole judges of the marshal's directions of duty in every respect.

§ 37. Whenever a vacancy shall occur in the office of town marshal, the person appointed by the board to act as marshal shall remain in office until the next regular election for town marshal, unless sooner removed for causes specified in section thirty-five of this act; and shall be required to execute bond and take the oaths similar to those required of a regularly elected marshal, and shall be subject

to the board in all respects as if he had been elected to his office, and shall likewise be liable on his bond with his securities to all persons injured by a breach of the same.

§ 38. Said marshal shall be a peace officer, and shall possess all power to arrest persons charged with offenses, and to execute within Bourbon county, in criminal cases, all writs, process, warrants, and orders, and to take bail, which is now or may hereafter be given to sheriffs or other peace officers; and shall be entitled for his services to the same fees to which such officers are respectively entitled. He shall attend all meetings of the board of trustees, and all sittings of the said police court, and preserve order, and act as crier at the same; he shall have power to execute and levy all process, judgments, or executions, which issue out of the police court, and shall have the same powers to collect claims, his own and other's fee bills, and to act in other civil cases, and execute all process and executions in said county, which are now or may hereafter be given by law to constables; and he and his sureties shall be responsible for the proper discharge of all his duties and official acts under this charter. It shall be the duty of the marshal to execute all ordinances of the board, passed in pursuance of the powers herein granted to them, wherein acts and duties are specifically prescribed for him to perform; and he shall report to the police judge all infractions of the ordinances of said town, and all misdemeanors or felonies committed within the town limits, of which he may receive any information.

§ 39. The marshal shall be entitled to the same fees as the sheriffs and constables are respectively entitled, whenever he performs services similar to those performed by such officers; but the board of trustees may, if they should deem it just, proper, and prudent to do so, give the marshal an annual salary for his services, in addition to the fees allowed by this act.

§ 40. The trustees may appoint the town marshal, or other person, as collector of the town taxes; if the marshal be chosen as collector, he shall be required to pay over all moneys received by him for taxes and other town purposes, within thirty days' after receiving the same, to the board of trustees, or to such person as they may direct; and upon a failure to do so, he and his securities may be proceeded against as provided in section thirty-four of this act. If another person be appointed, he shall, before entering upon the duties of said office, execute bond with approved security, for the faithful performance of duty, and the payment over to the proper person of all moneys received by him for town taxes and other town purposes, within thirty days' after receiving the same; and upon a failure to do so, he and his securities may be proceeded against in like manner as the town marshal. The board of trustees may require the collector to give additional security on his bond at any time; and upon his failure to do so within five days' after writtten notice, signed by the president and clerk of the board, his office shall be declared vacant and a successor appointed. The collector shall hold his office until the second Monday in August next succeeding his appointment, unless sooner removed by the board, for such cause as they may deem suffi-

cient. He shall receive such compensation for his services as the board of trustees may provide.

§ 41. The town collector shall, from and after the day he receives the tax-book in each year, proceed to collect the taxes due the town; and upon the failure of any person bound therefor to pay the same, may distrain any personal estate owned by the person from whom the tax is due, and may proceed to sell the title of such persons in so much thereof as will pay the taxes due, and all costs and expenses of the sale. The sale must be for cash, upon the public square of said town. The time, place, and terms of sale, shall be first advertised as sheriffs are required to advertise in similar cases. If the collector make illegal or unreasonable seizure and distress for taxes, he shall be liable in damages to the party aggrieved. If the personal estate be insufficient to pay the whole of such tax, costs, &c., then the collector may proceed to sell such real estate as may be accessible, or so much thereof as will be sufficient to pay the taxes due from the party, and all the costs thereon, to the highest bidder for cash; the time, place, and terms of sale to be advertised as required for the sale of personal property. But in the event that no property of any description be found, then the collector shall have the right to attach any debt or debts that he may find due the delinquent, or enough thereof to pay the tax or taxes, and all costs accrued therein. All real estate sold for taxes shall be redeemable as provided for same in section eight of this act.

§ 42. The sheriff of elections shall, immediately after each one is held, deposit the poll-book with the clerk of the Bourbon county court, who shall file said book in his office. The officers conducting the elections shall constitute a board for examining the poll-book, signing the same, and giving certificates of election; a copy of which certificates shall also be entered upon the records of the board.

§ 43. Whenever two or more persons shall receive an equal number of votes for the office of trustees, such election shall be settled by lot, in such manner as the officers of the election may direct.

§ 44. All resignations of the officers of said town shall be tendered to the board of trustees, and shall be in writing, and shall be noted on the records of the board.

§ 45. The recognized records of the trustees of the town of Millersburg, and all bonds and contracts executed to the said town, shall remain in full force; and, remaining in the proper office of said town, are hereby declared to be public records; and copies thereof, certified by the clerk of the board, who shall be *ex-officio* keeper of the records, shall be evidence in all courts, to the same extent that the originals would be, in due proof; and the clerk shall be entitled to fees for copies of the same, to be prescribed by ordinance of the board.

§ 46. The board of trustees shall have the power to prescribe penalties for the breach of all ordinances passed by them, in pursuance of the powers herein granted; and whenever the penalties have not been prescribed by this act, said penalties may be in any sum not exceeding one hundred dollars.

§ 47. The board of trustees never shall contract any debt or debts, the amount of which shall exceed the aggregate of the taxes of the town for two years, unless authorized by a majority of the voters of said town, at an election for the occasion.

§ 48. This act shall take effect from and after its passage.

And then, in pursuance to the provisions of the Constitution, the question was put to the House, "Shall the bill pass, the objections of the Governor to the contrary notwithstanding?" and it was decided in the negative.

The yeas and nays being required thereon, in pursuance to a provision of the Constitution, were as follows, viz:

In the affirmative—none.

Those who voted in the negative, were—

Mr. SPEAKER (Bunch),	H. G. Duerson,	Thomas H. Moss,
William Adair,	John Duvall,	Edward Myall,
Wm. F. Barret,	James P. Ford,	Joshua B. Parks,
P. W. Barron,	W. W. Frazer,	E. A. Pearson,
Robert C. Beauchamp,	Robert T. Glass,	W. H. Pettus,
D. M. Bowen,	D. Hambleton,	Elijah C. Phister,
Samuel W. Brents,	Ashton P. Harcourt,	Alfred T. Pope,
Howell Brewer,	A. J. Hendrickson,	Douglass L. Price,
William B. Caldwell,	Elijah Hogan,	G. W. Quick,
James E. Cantrill,	Jeff. Holeman,	William S. Richart,
Landon Carter,	Elijah Hurst,	George W. Riddle,
J. S. Chrisman,	William Irwin, sr.,	G. W. Silvertooth,
R. L. Cooper,	Alfred M. Jones,	Robert Simmons,
Thomas H. Corbett,	John W. Kendall,	R. M. Spalding,
Joseph M. Davidson,	James Kilgore,	Geo. W. Terrell,
F. R. Davis,	Francis M. Lowe,	W. J. Webb,
Asbury Dawson,	James B. McCreary,	A. D. Weller,
J. C. DeMoss,	Wm. J. McElroy,	John F. Wight,
George R. Diamond,	George R. McKee,	L. Wilson,
N. C. Dille,	Mason Morris,	John Wolf,
D. E. Downing,	Thomas E. Moss,	Hugh H. York—63.

And so said bill was rejected.

A message was received from the Governor by Mr. Samuels, Assistant Secretary of State, which was taken up and read as follows, viz:

STATE OF KENTUCKY, EXECUTIVE DEPARTMENT,
FRANKFORT, January 7, 1871.

Gentlemen of the House of Representatives:

A bill, entitled "An act for the benefit of Benjamin Evans, of Garrard county," was laid before me the night preceding your adjournment, and which I am constrained to return without my approval.

This bill proposes to relieve the said Evans from all disabilities as a minor. Although I deem all this species of legislation as unwise and impolitic, I should probably have not interposed any objection to its passage. The bill, however, by its terms, invests the said Evans with all civil rights, privileges, and immunities of one who has arrived at twenty-one years of age. This, in my judgment, the Constitution forbids. That instrument limits the age at twenty-one by which the right of suffrage and other privileges of citizenship is acquired and conferred, and it is not competent for the law-making power to dispense with it. If it be claimed that the term "all civil rights, privileges, and immunities, conferred upon a minor in this act, should be construed to apply only to such as the Legislature had a right to confer, and thereby to exclude suffrage, then the bill is subject to another inhibition of the Constitution, which forbids the Legislature from conferring on any person special privileges, except in consideration of public service. No reason is assigned for conferring these privileges on Benjamin Evans to the exclusion of other minors in the Commonwealth. I, therefore, am constrained to return this bill without my approval.

J. W. STEVENSON.

The bill referred to in said message reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That Benjamin Evans, of Garrard county, be, and he is hereby, relieved from all disabilities as a minor, so that he may transact his own business in his own name, and be invested with all civil rights, privileges, and immunities, and be subject to all the responsibilities of a person twenty-one years of age.

§ 2. This act shall take effect and be in force from and after its passage.

And then, in pursuance to the provisions of the Constitution, the question was put to the House, "Shall the bill pass, the objections of the Governor to the contrary notwithstanding?" and it was decided in the negative.

The yeas and nays being required thereon, in pursuance to a provision of the Constitution, were as follows, viz:

In the affirmative—none.

Those who voted in the negative, were—

Mr. SPEAKER (Bunch),	D. E. Downing,	Thomas E. Moss,
William Adair,	H. G. Duerson,	Thomas H. Moss,
Wm. F. Barret,	John Duvall,	Edward Myall,
P. W. Barron,	M. W. Ferguson,	Joshua B. Parks,
Alpheus W. Bascom,	James P. Ford,	E. A. Pearson,
Rob't C. Beauchamp,	W. W. Frazer,	W. H. Pettus,
D. M. Bowen,	John N. Furber,	Elijah C. Phister,
Orlando C. Bowles,	Robert T. Glass,	Alfred T. Pope,
Samuel W. Brents,	D. Hambleton,	Douglass L. Price,
Howell Brewer,	Ashton P. Harcourt,	G. W. Quick,

William B. Caldwell,	J. B. Hays,	William S. Richart,
James E. Cantrill,	A. J. Hendrickson,	George W. Riddle,
Landon Carter,	Elijah Hogan,	George W. Silvertooth,
J. S. Chrisman,	Jeff. Holeman,	Robert Simmons,
A. T. Coffman,	Elijah Hurst,	Richard M. Spalding,
Thomas T. Cogar,	William Irwin, sr.	George W. Terrell,
R. L. Cooper,	Alfred M. Jones,	P. M. Thurmond,
Thomas H. Corbett,	John W. Kendall,	W. J. Webb,
Joseph M. Davidson,	James Kilgore,	A. D. Weller,
F. R. Davis,	Francis M. Lowe,	John F. Wight,
Asbury Dawson,	James B. McCreary,	L. Wilson,
J. C. DeMoss,	Wm. J. McElroy,	S. M. Wrather,
George R. Diamond,	George R. McKee,	Hugh H. York—71.
N. C. Dille,	Mason Morris,	

And so said bill was rejected.

And then the House adjourned.

MONDAY, JANUARY 9, 1871.

The following petitions were presented, viz:

By Mr. McKenzie—

1. The petition of citizens of Christian county, praying for the formation of an additional justices' district in said county.

By Mr. Hindman—

2. The petition of sundry citizens of Metcalfe county, praying to be annexed to the county of Adair.

Which were received, the reading dispensed with, and referred—the 1st to the Committee on Privileges and Elections; and the 2d to the Committee on Propositions and Grievances.

Mr. Quick, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to amend the charter of the city of Paducah;

An act to incorporate the Louisville Ledger Printing Company;

An act providing for special judges of the county court of Fayette county;

And also a resolution, which originated in the Senate, entitled

Resolution in regard to firing salute in honor of January 8th;

And had found the same truly enrolled.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Quick inform the Senate thereof.

Mr. Phister, from the Committee on the Judiciary, to whom was referred the resolution offered by Mr. Silvertooth in regard to the election of a Public Binder, reported

A bill providing for filling vacancies in the office of Public Binder.

Which was read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. T. H. Hays, from the Committee on Agriculture and Manufactures, to whom was recommitted a bill from the Senate, entitled

An act for the protection of livery-stable keepers in this Commonwealth,

Reported the same without amendment.

The question was then taken on the motion heretofore made to reconsider the vote by which said bill was passed, and it was decided in the affirmative.

And so said bill was reconsidered.

Ordered, That said bill be recommitted to the Committee on the Judiciary.

A message was received from the Senate, announcing that they had received official information that the Governor had approved and signed enrolled bills, which originated in the Senate, of the following titles, viz:

An act to amend an act, entitled "An act for the benefit of John T. Jackson," approved March 9, 1867.

An act for the benefit of John W. Caldwell, of Logan county.

An act to amend the charter of the town of Nicholasville.

And that they had passed a bill, entitled

An act to authorize the city of Newport to supply itself and others with pure water, and to establish water-works.

Which was read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That the same be referred to the Committee on Internal Improvement.

Mr. McCreary, from a select committee, who were directed to prepare and bring in the same, reported

A bill to amend the charter of the town of Taylorsville.

Which was read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Pope moved the following resolution, viz:

Resolved, That a committee of seven, to be called the Committee on Insurance, be added to the Standing Committees of this House.

Which was adopted.

Mr. Pope moved the following resolution, viz:

Resolved, That the Commissioner of Insurance be, and he is hereby, respectfully requested to inform this House what insurance companies, if any, have failed to comply with the general laws; and if such there are, wherein they have so failed, and what steps have been taken to enforce such compliance; whether or not there are any insurance companies doing a banking business; and if so, whether such banking business is transacted with the insurance capital or upon separate and distinct paid up capital; and whether or not the "Home Insurance Company, of Connecticut," has done business within this State during the last year, and if so, has it complied with the laws.

Which was adopted.

The House then, according to order, took up for further consideration a bill heretofore reported, entitled

A bill authorizing the county court of Garrard county to levy a tax for the purpose of paying off an indebtedness created by it.

Ordered, That said bill be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

A message was received from the Governor by Mr. Samuels, Assistant Secretary of State, announcing that he had approved and signed enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act providing for special judges of the county court of Fayette county.

An act to amend the charter of the city of Paducah.

Leave was given to bring in the following bills, viz:

On motion of Mr. Carter—

1. A bill for the benefit of school districts Nos. 21 and 40, in Anderson county.

On motion of Mr. Corbett—

2. A bill for the benefit of Jane T. Sanford and her three children, of Ballard county.

On motion of Mr. Brents—

3. A bill to regulate the fees and allowances to master commissioners.

On motion of Mr. Bascom—

4. A bill to amend the charter of the town of Sharpsburg, in Bath county.

On motion of Mr. Terrill—

5. A bill to legalize the levy made at the last term of the Boone county court of claims.

On motion of Mr. Myall—

6. A bill for the benefit of the Paris and Clintonville Turnpike Road Company.

On motion of same—

7. A bill to incorporate the Jacksonville and Townsend Turnpike Road Company.

On motion of same—

8. A bill for the benefit of the Christian Church at Paris.

On motion of Mr. Morris—

9. A bill for the benefit of J. B. Blain and others, of Edmonson county.

On motion of Mr. Thurmond—

10. A bill for the benefit of the sheriff of Caldwell county.

On motion of Mr. Hamlin—

11. A bill for the benefit of school district No. 8, in Calloway county.

On motion of Mr. McKenzie—

12. A bill providing for the registration of voters in this Commonwealth.

On motion of same—

13. A bill creating an additional magistrates' district in Christian county.

On motion of same—

14. A bill to amend an act to incorporate the Hopkins Coal Company, approved February 18, 1867.

On motion of Mr. Brewer—

15. A bill for the benefit of A. Gilbert, former sheriff of Clay county.

On motion of same—

16. A bill for the benefit of Enoch Creech, of Clay county.

On motion of same—

17. A bill declaring Bullskin creek, in Clay county, a navigable stream from the mouth to the forks of said creek.

On motion of Mr. Richart—

18. A bill to repeal an act to amend the charter of the Bath and Montgomery County Association Turnpike Road Company, approved February 1, 1867.

On motion of same—

19. A bill to protect the public highways in Clark and Montgomery counties.

On motion of Mr. Webb—

20. A bill to incorporate the Deposit Bank of Irvine.

On motion of same—

21. A bill to establish a road from Irvine to the mouth of Red river.

On motion of same—

22. A bill for the improvement of the navigation of a certain portion of Rockcastle river.

On motion of same—

23. A bill to amend the charter of the Irvine and Red River Turnpike Road Company.

On motion of same—

24. A bill for the benefit of common school district No. 6, in Jackson county.

On motion of Mr. Price—

25. A bill to authorize the Fayette county court to change the boundaries of justices' districts, and to establish additional voting districts.

On motion of same—

26. A bill to re-enact an act, entitled "An act to amend article 3, chapter 86, Revised Statutes," approved February 17, 1866.

On motion of Mr. Davidson—

27. A bill for the benefit of Philip Cassity, present sheriff of Martin county.

On motion of same—

28. A bill for the benefit of Wm. J. Mayo and Tolbert Akers, securities of Alexander W. Cecil, late sheriff of Floyd county.

On motion of Mr. Silvertooth—

29. A bill requiring sheriffs and master commissioners to advertise sales of real estate in a newspaper published in their respective counties.

On motion of same—

30. A bill to allow compensation to the trustees of common school districts in this Commonwealth for their services.

On motion of Mr. Hogan—

31. A bill amending an act changing the time of holding circuit courts in the Eleventh Judicial District.

On motion of same—

32. A bill incorporating Napoleon Lodge, No. 216, Ancient York Masons.

On motion of Mr. Dille—

33. A bill to change the time of holding the Harrison county court.

On motion of Mr. Lowe—

34. A bill for the benefit of school district No. 64, of Pendleton county.

On motion of Mr. Jessee—

35. A bill for the benefit of George Wills, of Henry county.

On motion of Mr. Wilson—

36. A bill to amend the charter of the Shawneetown and Madisonville Straight-line Railroad.

On motion of same—

37. A bill to provide for the payment of common school commissioners of this Commonwealth.

On motion of Mr. Cogar—

38. A bill to establish an additional civil district in the county of Jessamine.

On motion of Mr. York—

39. A bill to reduce into one all the acts heretofore passed in regard to the town of Barboursville, and define the boundary of said town, and for other purposes.

On motion of same—

40. A bill for the benefit of common school district No. 41, in Knox county.

On motion of Mr. Pope—

41. A bill to encourage European immigration and labor.

On motion of same—

42. A bill to incorporate the Charity Hospital School of Medicine.

On motion of Mr. Speaker (Bunch)—

43. A bill to amend the laws regulating the advertising of sales of property by the sheriff of Jefferson county and marshal of the Louisville chancery court.

On motion of Mr. Barret—

44. A bill to amend an act to incorporate the Church of the Messiah, of Louisville.

On motion of same—

45. A bill to incorporate the Owensboro Savings Bank.

On motion of Mr. Diamond—

46. A bill to incorporate the Big Blain Improvement Company, in Lawrence county.

On motion of same—

47. A bill for the benefit of the heirs of Meredith Miller, deceased, a man of color.

On motion of Mr. McCreary—

48. A bill for the benefit of the owners of Clay's Ferry, on the Kentucky river.

On motion of same—

49. A bill to repeal an act approved March 15, 1870, entitled "An act to authorize creditors, in certain cases, to garnishee before judgment or return of no property."

On motion of Mr. T. E. Moss—

50. A bill to change the name of Mary Elizabeth Troop to that of Mary Elizabeth Clark, and make her the legal heir of F. M. P. Clark and Eliza C. Clark, of McCracken county.

On motion of Mr. Humphrey—

51. A bill for the benefit of T. M. Conditt, late sheriff of McLean county.

On motion of Mr. Kendall—

52. A bill for the benefit of school district No. 9, in Elliott county.

On motion of same—

53. A bill for the benefit of J. W. Hannah, of Elliott county.

On motion of Mr. Hardin—

54. A bill to amend section 4, chapter 28, article 3, Revised Statutes.

On motion of same—

55. A bill to amend chapter 10 of the Revised Statutes, title "Causes of Action which Survive."

On motion of Mr. Duvall—

56. A bill to close the street known as Cedar street, in the town of Monterey, Owen county.

On motion of Mr. Lowe—

57. A bill to amend section 23, article 4, of common school laws of this Commonwealth.

On motion of Mr. Pettus—

58. A bill for the benefit of Samuel C. Combest and George W. Garner, late trustees of common school district No. 51, north, in Pulaski county.

On motion of same—

59. A bill to establish an additional voting place in district No. 1, in Boyle county.

On motion of same—

60. A bill to regulate official sales in Boyle county.

On motion of Mr. Frazer—

61. A bill to amend the charter of the town of Allensville, in Todd county.

On motion of Mr. Holeman—

62. A bill to abolish the court of common pleas in Webster county, 3d judicial district.

On motion of same—

63. A bill to amend the charter of the town of Clayville, in Webster county.

On motion of same—

64. A bill to amend the charter of the town of Dixon, in Webster county.

On motion of same—

65. A bill to amend the charter of the town of Slaughtersville, in Webster county.

On motion of same—

66. A bill to incorporate the town of Providence, in Webster county.

On motion of Mr. Bowen—

67. A bill to change the line between the counties of Franklin and Woodford.

Ordered, That the Committee on Education prepare and bring in the 1st, 11th, 24th, 30th, 34th, 37th, 52d, 57th, and 58th; the Committee on the Judiciary the 2d, 12th, and 62d; the Committee on Revised Statutes the 3d, 26th, 29th, 39th, 47th, 48th, 49th, 54th, 55th, and 60th; the Committee on Corporate Institutions the 4th, 14th, 32d, 42d, 44th, 46th, 56th, 61st, 63d, 64th, 65th, and 66th; the Committee on County Courts the 5th, 13th, 25th, 33d, and 50th; the Committee on Internal Improvement the 6th, 7th, 9th, 17th, 18th, 21st, 22d, and 23d; the Committee on Religion the 8th; the Committee on Propositions and Grievances the 10th, 15th, 16th, 19th, 27th, 28th, 35th, 51st, and 67th; the Committee on Banks the 20th and 45th; the Committee on Circuit Courts the 31st; the Committee on Railroads the 36th; the Committee on Ways and Means the 40th; the Committee on Immigration and Labor the 41st; the Committee on Codes of Practice the 43d; the Committee on Claims the 53d; the Committee on Privileges and Elections the 59th; a select committee, consisting of Messrs. Cogar, Silvertooth, and Duvall, the 38th.

The Speaker announced the following as the Standing Committees of the House for the present session, viz:

On Propositions and Grievances.—Messrs. Thomas H. Corbett, P. W. Barron, J. L. Hibbs, F. M. Lowe, J. F. Wight, P. M. Thurmond, and I. B. Combs.

On Privileges and Elections.—Messrs. J. M. Atherton, J. P. Ford, W. H. Pettus, G. W. Terrell, W. J. McElroy, Jeff. Holeman, and J. F. Baugh.

On Claims.—Messrs. Jas. S. Chrisman, L. Wilson, W. V. Prather, Silas Adams, M. W. Ferguson, Samuel G. Geisler, and Wm. S. Richart.

On the Judiciary.—Messrs. E. C. Phister, Wm. F. Barret, H. H. Skiles, A. T. Pope, W. V. Prather, Ben. Hardin, and John W. Blue,

On Religion.—Messrs. R. L. Cooper, Henry Bruce, H. G. Duerson, L. D. Good, A. J. Hendrickson, Edward Myall, and J. B. Hays.

On Education.—Messrs. Wm. F. Barret, E. C. Phister, Geo. R. McKee, John W. Blue, H. H. Skiles, A. T. Pope, and Thos. E. Moss.

On Military Affairs.—Messrs. Geo. M. Jessee, J. R. Hindman, J. J. McAfee, P. M. Thurmond, Silas Adams, John W. Kendall, and A. T. Coffman.

On Expenditures of the Board of Internal Improvement.—Messrs. G. W. Quick, W. S. Richart, A. D. Weller, Elijah Hurst, W. J. Webb, Elijah Hogan, and James Kilgore.

On the Penitentiary.—Messrs. E. A. Pearson, Ben. Hardin, J. L. Hibbs, R. E. Humphrey, G. W. Little, N. C. Dille, and F. R. Davis.

On Agriculture and Manufactures.—Messrs. Thos. H. Hays, Dudley Hambleton, D. L. Price, Thos. T. Cogar, J. R. Claybrook, Geo. W. Riddle, and Asbury Dawson.

On Ways and Means.—Messrs. Robert Simmons, R. M. Spalding, Jas. B. McCreary, W. W. Frazer, J. C. DeMoss, Ervin Anderson, and J. R. Diamond.

On Corporate Institutions.—Messrs. G. W. Anderson, Clinton Griffith, Wm. B. Caldwell, E. Burr, J. R. Hindman, J. L. Waring, and Howell Brewer.

On Internal Improvement.—Messrs. Thos. T. Cogar, I. B. Combs, J. B. Parks, W. H. Pettus, S. M. Wrather, D. E. Downing, and A. D. Weller.

On the Sinking Fund.—Messrs. R. M. Spalding, J. W. Blue, A. P. Harcourt, Geo. W. Silvertooth, J. D. Bright, Samuel W. Brents, and Geo. R. McKee.

On Banks.—Messrs. R. T. Glass, J. N. Furber, Landon Carter, H. H. Skiles, A. M. Jones, and A. T. Pope.

On the Library.—Messrs. Wm. Adair, A. W. Bascom, John Duvall, L. D. Good, and John Wolf.

On Printing.—Messrs. Wm. M. Hamlin, A. D. Weller, J. F. Wight, S. M. Wrather, and F. M. Lowe.

On Public Offices.—Messrs. D. M. Bowen, Landon Carter, J. J. McAfee, Wm. Irwin, sr., and H. G. Duerson.

On Federal Relations.—Messrs. Jesse D. Bright, Geo. W. Silvertooth, James A. McKenzie, William F. Barret, R. M. Spalding, John Duvall, Jas. E. Cantrill, Geo. R. McKee, and E. C. Phister.

On the Court of Appeals.—Messrs. H. H. Skiles, J. W. Kendall, J. M. Davidson, J. F. Baugh, and O. C. Bowles.

On Circuit Courts.—Messrs. Geo. W. Silvertooth, A. P. Harcourt, J. S. Chrisman, W. V. Prather, and S. G. Geisler.

On County Courts.—Messrs. Thos. E. Moss, John Duvall, R. K. Smith,Thos. H. Corbett, and P. M. Thurmond.

On Revised Statutes.—Messrs. Geo. R. McKee, J. S. Chrisman, R. T. Glass, Jas. B. McCreary, and J. W. Kendall.

On Codes of Practice.—Messrs. Jas. E. Cantrill, R. K. Smith, A. P. Harcourt, John W. Blue, and J. R. Claybrook.

On Enrollments.—Messrs. O. C. Bowles, G. W. Quick, F. M. Lowe, L. Wilson, and W. W. Frazer.

On Immigration and Labor.—Messrs. Joshua B. Parks, William S. Richart, Robert Beauchamp, Geo. M. Jessee, J. C. DeMoss, Henry Bruce, and John F. Wight.

On Railroads.—Messrs. Jas. A. McKenzie, Wm. B. Caldwell, Robert Simmons, Jas. B. McCreary, Samuel W. Brents, John W. Blue, Hugh H. York, Robt. T. Glass, Jas. S. Chrisman, and A. P. Harcourt.

On Charitable Institutions.—Messrs. D. L. Price, Dudley Hambleton, Henry Bruce, W. W. Frazer, Wm. Irwin, sr., Thos. H. Moss, and Jeff. Holeman.

On Insurance—Alfred T. Pope, John N. Furber, Alpheus W. Bascom, J. L. Waring, Clinton Griffith, Henry H. Skiles, and Thos. E. Moss.

And then the House adjourned.

TUESDAY, JANUARY 10, 1871.

The following petitions were presented, viz:

By Mr. Hindman—

1. The petition of citizens of Adair county, praying for the passage of a bill granting the right of way for the construction of the Cincinnati Southern Railway.

By Mr. Lowe—

2. The petition of citizens of Pendleton and Campbell counties, praying the passage of an act prohibiting the selling of spirituous liquors by retail within two miles of Demossville, in Pendleton county.

Which were received, the first read, the reading of the second dispensed with, and referred—the 1st to the Committee on Railroads; and the 2d to the Committee on Propositions and Grievances.

A message was received from the Senate, announcing that they had passed bills of the following titles, viz:

1. An act to authorize the St. Louis Bertrand Society, of the city of Louisville, to issue mortgage bonds.

2. An act to exempt haulers from Goose Creek Salt Works from the payment of toll on the Wilderness Turnpike Road.

Which were read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That they be referred—the 1st to the Committee on the Judiciary; and the 2d to the Committee on Ways and Means.

The Speaker laid before the House a message from the Governor, which was taken up and read as follows, viz:

STATE OF KENTUCKY, EXECUTIVE DEPARTMENT,
FRANKFORT, January 9, 1871.

Gentlemen of the House of Representatives:

I herewith transmit the annual report of the Quarter-Master General for the year ending 1st January, 1871.

J. W. STEVENSON.

[*For Report—See Legislative Document No.* 6.]

On motion of Mr. Hindman,

Ordered, That said report be printed, and referred to the Committee on Military Affairs.

In pursuance to the resolution adopted on yesterday, the Speaker appointed the following Committee on Insurance, viz: Messrs. Pope, Furber, Bascom, Waring, Griffith, Skiles, and T. E. Moss.

Mr. Corbett, from the Committee on Propositions and Grievances, who were directed to prepare and bring in the same, reported

A bill for the benefit of James W. Lumsden, of Hickman county.

Which was read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

Said bill being engrossed, was read a third time as follows, viz:

WHEREAS, It is represented to this General Assembly, that, in the year 1860, a judgment was rendered in favor of the Commonwealth against William Cromwell, then sheriff of Hickman county, and James W. Lumsden and others, as securities upon the revenue bond of said Cromwell, for the sum of $5,445 88; and whereas, said Cromwell shortly thereafter departed this life, and that his estate was, and is, wholly insolvent, and that all of said securities, except said James W. Lumsden, are hopelessly insolvent; and that said James W. Lumsden has, by different payments, paid the sum of $3,733 82 upon said judgment, leaving a balance yet unpaid, including the damages allowed by law, and costs, of $1,712 06; therefore,

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That James W. Lumsden be, and he is hereby, released and acquitted from the payment of the balance of the said judgment, except officers' costs and commissions.

§ 2. That this act shall take effect from its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Corbett and Silvertooth, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Bunch),	D. E. Downing,	G. W. Little,
William Adair,	H. G. Duerson,	J. J. McAfee,
Silas Adams,	John Duvall,	James B. McCreary,
George W. Anderson,	M. W. Ferguson,	William J. McElroy,
Ervin Anderson,	James P. Ford,	James A. McKenzie,
Wm. F. Barret,	W. W. Frazer,	Mason Morris,
P. W. Barron,	John N. Furber,	Thomas H. Moss,
Alpheus W. Bascom,	Samuel G. Geisler,	Edward Myall,
Robert C. Beauchamp,	Robert T. Glass,	Joshua B. Parks,
D. M. Bowen,	L. D. Good,	Elijah C. Phister,
Samuel W. Brents,	D. Hambleton,	W. V. Prather,
Howell Brewer,	Ashton P. Harcourt,	Douglass L. Price,

Wm. B. Caldwell,	Ben. Hardin,	G. W. Quick,
James E. Cantrill,	J. B. Hays,	Wm. S. Richart,
Landon Carter,	T. H. Hays,	George W. Riddle,
J. S. Chrisman,	A. J. Hendrickson,	G. W. Silvertooth,
James R. Claybrook,	James R. Hindman,	Robert Simmons,
Thomas T. Cogar,	Elijah Hogan,	George W. Terrell,
I. B. Combs,	Jeff. Holeman,	P. M. Thurmond,
R. L. Cooper,	R. E. Humphrey,	J. L. Waring,
Thomas H. Corbett,	Elijah Hurst,	W. J. Webb,
Joseph M. Davidson,	Wm. Irwin, sr.,	A. D. Weller,
F. R. Davis,	George M. Jessee,	John F. Wight,
Asbury Dawson,	Alfred M. Jones,	L. Wilson,
J. C. DeMoss,	John W. Kendall,	John Wolf,
George R. Diamond,	James Kilgore,	S. M. Wrather,
N. C. Dille,	Francis M. Lowe,	Hugh H. York—81.

In the negative, W. H. Pettus—1.

Resolved, That the title of said bill be as aforesaid.

On motion of Mr. Corbett, the Committee on Propositions and Grievances were discharged from the further consideration of a bill, which was recommitted to said committee, entitled

A bill to amend section 1, article 24, chapter 27, of Revised Statutes.

A message was received from the Senate, announcing that they had passed a bill, which originated in the House of Representatives, entitled

An act providing for filing vacancies in the office of Public Binder.

Bills were reported by the several committees, who were directed to prepare and bring in the same, of the following titles, viz :

By Mr. Phister, from the Committee on the Judiciary—

A bill for the benefit of E. P. Graves, of Fayette county.

By Mr. McKee, from the Committee on Revised Statutes—

A bill to amend section 2, article 1, of chapter 48, Revised Statutes, title "Idiots and Lunatics."

By same—

A bill for the benefit of certain children of Meredith Miller, deceased, a free man of color.

By Mr. McCreary, from the same committee—

A bill for the benefit of the owners of Clay's Ferry, on the Kentucky river.

Which were read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Thurmond, from the Committee on Propositions and Grievances, who were directed to prepare and bring in the same, reported

A bill to amend the several general acts in reference to selling or giving spirituous or vinous liquors to minors.

Which was read the first time, and ordered to be read a second time.

Said bill was placed in the orders of the day.

Mr. T. E. Moss, from the Committee on County Courts, who were directed to prepare and bring in the same, reported

A bill to change the name of Mary Elizabeth Troop to Mary Elizabeth Clark, and to make her the legal heir of F. M. P. Clark and Eliza C. Clark, of McCracken county.

Which was read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was decided in the negative.

And so said bill was rejected.

Mr. Cogar, from the Committee on Internal Improvement, to whom was referred a bill from the Senate, entitled

An act to authorize the city of Newport to supply itself and others with pure water, and to establish water-works,

Reported the same without amendment.

Ordered, That said bill be read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. McCreary, from the Committee on Revised Statutes, who were directed to prepare and bring in the same, reported

A bill to repeal an act, entitled "An act to authorize creditors in certain cases to garnishee before judgment or return of no property."

Which was read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be printed and placed in the orders of the day.

Mr. Glass, from the Committee on Revised Statutes, who were directed to prepare and bring in the same, reported

A bill to re-enact an act, entitled "An act to amend article 3, chapter 86, Revised Statutes," approved February 17, 1866.

Which was read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Mr. Pope moved a substitute therefor by way of amendment.

Ordered, That the further consideration of said bill be postponed, and made the special order of the day for to-morrow, at 11 o'clock, A. M.

Mr. Price, from a select committee, to whom the same was recommitted, reported back to the House, without further amendment, a bill, entitled

A bill to amend section 1 of chapter 3 of the Revised Statutes, and the several amendments offered thereto.

On motion of Mr. Price, said bill was postponed to, and made the special order of the day for, Tuesday, 17th inst., at 11 o'clock, A. M.

Mr. Richart, from a select committee, to whom was recommitted a bill, entitled

A bill for the benefit of Letitia Garrard, widow of the late James H. Garrard, deceased,

Reported the same with a substitute therefor, by way of amendment.

The question was then taken on the adoption of said amendment, and it was decided in the affirmative.

Ordered, That said bill, as amended, be engrossed and read a third time.

Said bill being engrossed, was read a third time as follows, viz :

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the Auditor of Public Accounts draw his warrant on the Treasurer in favor of Mrs. Letitia Garrard, widow of James H. Garrard, deceased, late Treasurer of the State, for the sum of one thousand dollars, amount due him for the fiscal year in which he died; the amount to be paid to her out of any money in the Treasury not otherwise appropriated.

§ 2. This act to take effect from and after its passage.

The question was then taken on the passage of said bill, and it was decided in the negative.

The yeas and nays being required thereon, in pursuance to a provision of the Constitution, were as follows, viz :

Those who voted in the affirmative, were—

Mr. SPEAKER (Bunch),	James P. Ford,	G. W. Little,
Alpheus W. Bascom,	John N. Furber,	George R. McKee,
D. M. Bowen,	Samuel G. Geisler,	James A. McKenzie,
Samuel W. Brents,	Robert T. Glass,	Thomas H. Moss,
James E. Cantrill,	A. J. Hendrickson,	E. A. Pearson,
J. S. Chrisman,	Jeff. Holeman,	Elijah C. Phister,
Thomas T. Cogar,	Elijah Hurst,	W. V. Prather,
R. L. Cooper,	William Irwin, sr.	William S. Richart,
Joseph M. Davidson,	Alfred M. Jones,	George W. Riddle,
George R. Diamond,	John W. Kendall,	W. J. Webb,
H. G. Duerson,	James Kilgore,	S. M. Wrather,
M. W. Ferguson,	Francis M. Lowe,	Hugh H. York—36.

Those who voted in the negative, were—

William Adair,	John Duvall,	Thomas E. Moss,
Silas Adams,	W. W. Frazer,	Edward Myall,
Geo. W. Anderson,	L. D. Good,	Joshua B. Parks,
Ervin Anderson,	D. Hambleton,	W. H. Pettus,
Wm. F. Barret,	Wm. M. Hamlin,	Alfred T. Pope,
P. W. Barron,	Ashton P. Harcourt,	Douglass L. Price,
Howell Brewer,	Ben. Hardin,	George W. Silvertooth,
William B. Caldwell,	T. H. Hays,	Robert Simmons,
Landon Carter,	James R. Hindman,	George W. Terrell,
James R. Claybrook,	Elijah Hogan,	P. M. Thurmond,
I. B. Combs,	R. E. Humphrey,	J. L. Waring,
Thomas H. Corbett,	J. J. McAfee,	A. D. Weller,
F. R. Davis,	James B. McCreary,	John F. Wight,
Asbury Dawson,	Wm. J. McElroy,	L. Wilson,
N. C. Dille,	Mason Morris,	John Wolf—46.
D. E. Downing,		

And so said bill was rejected.

Mr. Barret then moved to reconsider the vote by which said bill was rejected.

Mr. Holeman moved the following preamble and resolution, viz:

WHEREAS, There are many imperfections in our present school law adopted by this General Assembly; therefore, be it

Resolved, That the Committee on Education be, and is hereby, instructed to thoroughly revise our present school law, and report the same at its earliest convenience.

Which were adopted.

Leave was given to bring in the following bills, viz:

On motion of Mr. Myall—

1. A bill for the benefit of the Gas Company of the city of Paris.

On motion of same—

2. A bill to regulate the election of treasurer of Bourbon county.

On motion of Mr. Kilgore—

3. A bill to empower the county court of Boyd county to take stock in turnpike roads in said county.

On motion of Mr. DeMoss—

4. A bill to amend an act, entitled "An act to charter the Licking and Big Sandy Railroad Company."

On motion of Mr. Davidson—

5. A bill for the benefit of Joseph Salyer, jr., Oliver McKensie, and Thomas Hamilton, securities of Alexander W. Nickoll, late sheriff of Johnson county.

On motion of same—

6. A bill for the benefit of M. B. Goble, of Martin county.

On motion of Mr. Waring—

7. A bill for the benefit of the miners and manufacturers of Greenup, Carter, Boyd, and Lawrence counties.

On motion of same—

8. A bill for the benefit of Greenup county.

On motion of same—

9. A bill for the benefit of F. B. Tinsdell, late school commissioner of Greenup county.

On motion of same—

10. A bill for the benefit of school district No. 48, in Greenup county.

On motion of same—

11. A bill to amend the road law of Greenup county.

On motion of Mr. T. H. Hays—

12. A bill to amend the charter of West Point, in Hardin county.

On motion of Mr. Hendrickson—

13. A bill to establish a sanitary company at Tollsboro, in the county of Lewis.

On motion of same—

14. A bill for the benefit of W. D. Fitch, of Lewis county.

On motion of Mr. Good—

15. A bill for the benefit of Jas. P. Bailey, late sheriff of Lincoln county.

On motion of Mr. Wrather—

16. A bill to create an additional magistrates' district at Meadeville, Meade county.

On motion of Mr. Jones—

17. A bill for the benefit of Mary P. Hurt, of Metcalfe county.

On motion of Mr. Duvall—

18. A bill for the benefit of James M. Brown, former sheriff of Owen county, and his deputies.

On motion of Mr. Thurmond—

19. A bill to direct the Governor to appoint commissioners to revise the Statutes and Codes of Practice in this Commonwealth.

Ordered, That the Committee on Corporate Institutions prepare and bring in the 1st, 12th, and 13th; the Committee on County Courts the 2d, 3d, 8th, 16th, and 17th; the Committee on Propositions and Grievances the 5th and 15th; the Committee on Religion the 6th; the Committee on the Judiciary the 7th and 14th; the Committee on Education the 9th and 10th; the Committee on Revised Statutes the 11th and 19th; the Committee on Ways and Means the 18th; and a select committee, consisting of Messrs. Furber, Phister, and DeMoss, the 4th.

And then the House adjourned.

WEDNESDAY, JANUARY 11, 1871.

The Speaker laid before the House a communication from the Insurance Commissioner, which was taken up and read as follows, viz:

INSURANCE BUREAU OF KENTUCKY,
OFFICE OF INSURANCE COMMISSIONER,
FRANKFORT, January 10, 1871.

To HON. JOHN T. BUNCH, *Speaker of the House of Representatives:*

SIR: In response to a resolution of inquiry, passed by the House of Representatives of the General Assembly of the State of Kentucky on the 9th inst., and addressed to the Insurance Commissioner, I would respectfully state:

The "Home Insurance Company, of New Haven," in January, 1870, filed in the Auditor's Office the regular annual statement required by the law then in force. All the agents who have acted in this State for that company, during the year 1870, obtained their licenses regularly, according to the provisions of the law, from the Auditor in January, 1870. These licenses were for the term of twelve months from date, and under section 43 of the "act for the incorporation and regulation of Fire and Marine, &c., Insurance Companies," approved March 12, 1870, were good for that period. No licenses have been issued to any agent of that company since the organization of this Bureau.

It is believed that all the other inquiries contained in the resolution are fully answered in my general report to the Auditor, dated December 31, 1870, and now in the hands of the Public Printer.

It will be sent to the Senate and House of Representatives in a very short time. In the meantime, any special information that may be desired in regard to the business of this office will be most cheerfully furnished.

I have the honor to be yours,
Most respectfully,
GUSTAVUS W. SMITH,
Insurance Commissioner.

The Speaker also laid before the House a communication from the Governor, transmitting annual report of the Eastern Lunatic Asylum, which was taken up and read.

[*For Report—See Legislative Document No.* 5.]

On motion of Mr. McKee,

Ordered, That said report be printed and referred to the Committee on Charitable Institutions.

Mr. Quick, from the Committee on Enrollments, reported that the committee had examined an enrolled bill, which originated in the House of Representatives, of the following title, viz:

An act providing for filling vacancies in the office of Public Binder,

And had found the same truly enrolled.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Quick inform the Senate thereof.

A message was received from the Senate, announcing that they had received official information that the Governor had approved and signed an enrolled bill, which originated in the Senate, of the following title, viz:

An act in relation to the Bardstown and Louisville Railroad Company.

And that they had passed a bill, which originated in the House of Representatives, entitled

An act authorizing the county court of Garrard county to levy a tax for the purpose of paying off an indebtedness created by it.

And that they had passed bills of the following titles, viz:

1. An act for the benefit of certain turnpike roads.

2. An act to amend an act, entitled "An act to amend the 3d section, 2d article, 32d chapter, of the Revised Statutes."

Which were read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That they be referred—the 1st to the Committee on Internal Improvement; and the 2d to the Committee on Revised Statutes.

Mr. McKee moved to reconsider the vote by which the House, on yesterday, passed a bill, which originated in the Senate, entitled

An act to authorize the city of Newport to supply itself and others with pure water, and to establish water-works.

And the question being taken on the motion of Mr. McKee, it was decided in the affirmative.

And so said bill was reconsidered.

On motion of Mr. McKee, said bill was recommitted to the Committee on the Judiciary.

The following petitions and memorial were presented, viz:

By Mr. Parks—

1. The petition of certain school districts of Jefferson county, praying for the passage of an act to authorize the payment of certain moneys to them from the Treasury.

By Mr. Morris—

2. The petition of John B. Blain and others, praying for the pas-

sage of an act to allow said Blain and others to erect a fish dam and trap across Green river.

By Mr. Cogar—

3. The memorial of the Kentucky River Navigation Company, praying that a committee may be appointed to investigate the affairs of said company, and for dissolving same, &c.

By Mr. Wolf—

4. The petition of sundry citizens of Boyle county, asking the construction of the Southern Railway.

By Mr. Waring—

5. The petition of school district No. 48, Greenup county, praying to be reimbursed certain money advanced by them.

By same—

6. The petition of F. B. Trussell, praying compensation for services rendered by him as school commissioner of Greenup county.

By Mr. Hogan—

7. The petition of citizens of Gallatin county, praying for the establishment of an additional voting precinct at Glencoe, in said county.

By same—

8. The petition of certain citizens, praying the Legislature to pass an act authorizing the construction of the Cincinnati Southern Railway.

By Mr. J. B. Hays—

9. The petition of E. M. Blacklock, of Muhlenburg county, praying for an enlargement of the town boundary of South Carrollton.

By Mr. Kilgore—

10. The petition of sundry citizens of Elliott county, praying to be added to the county of Carter.

By Mr. Dawson—

11. The petition of citizens of Simpson county, praying that said county may be exempt from the operation of a bill pending before the House providing for the inspection of steam boilers, &c.

Which were received, the reading dispensed with, and referred—the 1st, 5th, and 6th to the Committee on Education; the 2d and 10th to the Committee on Propositions and Grievances; the 3d to the Committee on Internal Improvement; the 4th and 8th to the Committee on Railroads; the 7th to the Committee on County Courts; the 9th to the Committee on Corporate Institutions; and the 11th to the Committee on Agriculture and Manufactures.

Mr. Phister, from the Committee on the Judiciary, who were directed to prepare and bring in the same, reported

A bill to abolish the court of common pleas in Webster county.

Which was read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be postponed to, and made the special order of the day for, Monday next, at 11 o'clock, A. M.

Mr. Chrisman, from the Committee on Revised Statutes, who were directed to prepare and bring in the same, reported

A bill for the preservation of life in case of fire.

Which was read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be printed and placed in the orders of the day.

The hour of 11 o'clock, A. M., having arrived, the House took up for further consideration a bill, entitled

A bill to re-enact an act, entitled "An act to amend article 3, chapter 86, of the Revised Statutes," approved February 17, 1866, together with the amendment offered thereto.

On motion of Mr. Pope, said bill and amendment were recommitted to the Committee on the Revised Statutes.

The House then took up the motion made by Mr. Barret on yesterday, to reconsider the vote by which the House rejected a bill, entitled

A bill for the benefit of Mrs. Letitia Garrard, widow of the late James H. Garrard, deceased.

And the question being taken on the motion of Mr. Barret, it was decided in the affirmative.

And so said vote was reconsidered.

Mr. Richart then moved to reconsider the vote by which said bill was ordered to be read a third time.

And the question being taken thereon, it was decided in the affirmative.

Mr. Richart moved an amendment to said bill, which was adopted.

On motion of Mr. McKee, said bill and amendment were recommitted to the Committee on Claims.

A message was received from the Governor by Mr. Samuels, Assistant Secretary of State, announcing that he had approved and signed enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to incorporate the Louisville Ledger Printing Company.

An act providing for filling vacancies in the office of Public Binder.

On motion, leave of absence, indefinitely, was granted Messrs. Skiles and Blue.

Bills were reported by the several committees, who were directed to prepare and bring in the same, of the following titles, viz:

By Mr. Corbett, from the Committee on Propositions and Grievances—

A bill for the benefit of John L. Ross, of Ballard county.

By Mr. Cooper, from the Committee on Religion—

A bill to authorize the trustees holding the legal title to the parsonage of the Christian Church at Paris, to sell the same and reinvest the proceeds.

By Mr. T. E. Moss, from the Committee on County Courts—

A bill for the benefit of Greenup county.

By Mr. G. W. Anderson, from the Committee on Corporate Institutions—

A bill to incorporate the Big Blain Improvement Company.

By Mr. Glass, from the Committee on Banks—

A bill to incorporate the Owensboro Savings Bank.

Which were read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. McKee, from the Committee on Revised Statutes, who were directed to prepare and bring in the same, reported

A bill in relation to stationery furnished members of the General Assembly.

Which was read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

Said bill being engrossed, was read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the act, entitled "An act in relation to stationery furnished members of the General Assembly," approved March 16, 1869, be, and hereby is, applied to the present adjourned session of the General Assembly; and that each member of the General Assembly, including the Lieutenant Governor, shall, for this adjourned session, be allowed and receive the amount in said act provided for, in lieu of stationery heretofore furnished members of the General Assembly; and that five dollars additional shall be allowed under this act to each Chairman of the several committees of the two Houses; all to be paid out of any money in the Treasury not otherwise appropriated.

§ 2. This act shall be in force from its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon, in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Bunch),	J. C. DeMoss,	G. W. Little,
William Adair,	George R. Diamond,	James B. McCreary,
Silas Adams,	N. C. Dille,	William J. McElroy,
George W. Anderson,	John Duvall,	George R. McKee,
Ervin Anderson,	W. W. Frazer,	Thomas H. Moss,
Wm. F. Barret,	John N. Furber,	Edward Myall,
P. W. Barron,	Samuel G. Geisler,	Joshua B. Parks,
Alpheus W. Bascom,	Robert T. Glass,	E. A. Pearson,
J. F. Baugh,	L. D. Good,	Elijah C. Phister,
Robert C. Beauchamp,	Clinton Griffith,	Alfred T. Pope,
D. M. Bowen,	D. Hambleton,	W. V. Prather,
Howell Brewer,	J. B. Hays,	Douglass L. Price,
E. Burr,	T. H. Hays,	Wm. S. Richart,
Wm. B. Caldwell,	A. J. Hendrickson,	George W. Riddle,
James E. Cantrill,	J. L. Hibbs,	G. W. Silvertooth,
Landon Carter,	James R. Hindman,	Robert Simmons,
J. S. Chrisman,	Elijah Hogan,	R. K. Smith,
James R. Claybrook,	Jeff. Holeman,	George W. Terrell,
A. T. Coffman,	R. E. Humphrey,	P. M. Thurmond,
Thomas T. Cogar,	Elijah Hurst,	J. L. Waring,
I. B. Combs,	Wm. Irwin, sr.,	W. J. Webb,
R. L. Cooper,	Alfred M. Jones,	A. D. Weller,
Joseph M. Davidson,	John W. Kendall,	S. M. Wrather,
F. R. Davis,	James Kilgore,	Hugh H. York—74.
Asbury Dawson,	Francis M. Lowe,	

Those who voted in the negative, were—

Thomas H. Corbett,	George M. Jessee,	G. W. Quick,
M. W. Ferguson,	J. J. McAfee,	John F. Wight,
James P. Ford,	Mason Morris,	L. Wilson,
William M. Hamlin,	Thomas E. Moss,	John Wolf—14.
Ashton P. Harcourt,	W. H. Pettus,	

Resolved, That the title of said bill be as aforesaid.

The House took up from the orders of the day a bill heretofore reported, entitled

A bill to amend the several general acts in reference to selling or giving spirituous or vinous liquors to minors.

Said bill was read a second time.

The question was then taken, "Shall the bill be engrossed and read a third time?" and it was decided in the negative.

And so said bill was rejected.

Leave was given to bring in the following bills, viz:

On motion of Mr. Carter—

1. A bill to so amend the present common school law as to prohibit the appointment of trustees who can neither read nor write.

On motion of Mr. Harcourt—

2. A bill providing that litigants shall pay jurors in quarterly and justices' courts, and restricting the panel to six instead of twelve.

On motion of Mr. Thurmond—

3. A bill for the benefit of the sheriff of Lyon county.

On motion of Mr. Brents—

4. A bill to incorporate the town of Hiseville, in Barren county.

On motion of same—

5. A bill for the benefit of Barren county.

On motion of Mr. Webb—

6. A bill for the benefit of the Jackson county court.

On motion of Mr. Silvertooth—

7. A bill to authorize the St. Louis and Iron Mountain Railroad Company to extend their road through Columbus, in this State.

On motion of Mr. McKee—

8. A bill to require convicts sentenced to the penitentiary to be transported to the counties in which they were convicted, on the expiration of the time for which they were sentenced.

On motion of Mr. Adair—

9. A bill for the benefit of common school district No. 43, fractional, lying in the counties of Hart, Barren, and Metcalfe.

On motion of Mr. Dille—

10. A bill for the benefit of H. W. Conaway, of Nicholas county,

On motion of same—

11. A bill for the benefit of Emily Wall, of Harrison county.

On motion of Mr. Wilson—

12. A bill to amend the common school laws of this Commonwealth.

On motion of Mr. Cogar—

13. A bill to amend the charter of the Union Mills Turnpike Road Company, in Jessamine county.

On motion of Mr. York—

14. A bill to prohibit persons from fishing in the Cumberland river and its tributaries, from the falls of said river to its head.

On motion of same—

15. A bill for the benefit of Knox county.

On motion of Mr. Burr—

16. A bill to incorporate the town of Adairville, in Logan county.

On motion of same—

17. A bill to amend an act, entitled "An act to incorporate the Preachers' Aid Society of Louisville Conference of the Methodist Episcopal Church, South," approved January 26, 1858.

On motion of same—

18. A bill for the benefit of Logan Female College, in Logan county.

On motion of Mr. Cooper—

19. A bill to prevent the sale of ale, beer, or other malt liquors, to minors.

On motion of Mr. Phister—

20. A bill to amend the law in reference to the service of notice in cases of contested elections.

On motion of same—

21. A bill to require the settlements of sheriffs in the county courts to be recorded.

On motion of Mr. Humphrey—

22. A bill for the benefit of Wm. Ayer, of McLean county.

On motion of Mr. McAfee—

23. A bill to create the office of Superintendent of the Negro Paupers of Mercer county.

On motion of Mr. Coffman—

24. A bill to amend the charter of the town of Ceralvo, in Ohio county.

On motion of Mr. Lowe—

25. A bill to amend an act, entitled "An act for the benefit of the county school fund of Pendleton county," approved March 21, 1870.

On motion of Mr. Frazer—

26. A bill authorizing the county court of Todd county to levy an additional tax upon the people thereof to discharge the indebtedness of the same.

On motion of same—

27. A bill to incorporate the Elkton Fair Grounds Association.

On motion of same—

28. A bill to incorporate the Elkton Railroad Company.

On motion of Mr. Holeman—

29. A bill for the benefit of school district No. 54, in Webster county.

On motion of Mr. Little—

30. A bill to amend an act to exempt homesteads from sale for debts and other liabilities.

On motion of Mr. Bowen—

31. A bill in relation to the tax of Franklin county subscribed by the county court to the Kentucky River Navigation Company.

On motion of Mr. Griffith—

32. A bill in reference to furnishing members of the General Assembly with stationery.

On motion of Mr. Hindman—

33. A bill to regulate the taking care of negro paupers in the Commonwealth.

On motion of same—

34. A bill to amend the common school law.

Ordered, That the Committee on Education prepare and bring in the 1st, 9th, 12th, 18th, 25th, 29th, and 34th; the Committee on Propositions and Grievances the 3d, 5th, 10th, 22d, 23d, and 33d; the Committee on Corporate Institutions the 4th, 16th, 17th, and 24th; the Committee on County Courts the 6th and 14th; the Committee on the Judiciary the 2d, 11th, 15th, and 31st; the Committee on Internal Improvement the 13th and 27th; the Committee on Revised Statutes the 19th, 20th, 21st, 30th, and 32d; the Committee on Ways and Means the 26th and 28th; a select committee, consisting of Messrs

Silvertooth, Cogar, and Barret, the 7th; and a select committee, consisting of Messrs. McKee, Phister, and Pearson, the 8th.

Mr. Silvertooth moved the following resolution, viz:

Resolved, That the Judiciary Committee be, and they are hereby, instructed to report a bill, now in their possession, to this House, increasing the jurisdiction of the justices of the peace, on Saturday, 14th inst., at 11 o'clock, A. M.

Which was adopted.

And then the House adjourned.

THURSDAY, JANUARY 12, 1871.

Mr. Quick, from the Committee on Enrollments, reported that the committee had examined an enrolled bill, which originated in the House of Representatives, of the following title, viz:

An act to authorize the county court of Garrard county to levy a tax for the purpose of paying off an indebtedness created by it,

And had found the same truly enrolled.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Quick inform the Senate thereof.

The following petitions were presented, viz:

By Mr. Waring—

1. The petition of sundry citizens of Greenup county, praying for an increased compensation for keeping idiots.

By Mr. Terrell—

2. The petition of certain citizens of Boone county, praying that jurisdiction may be given the Boone county court to open a public road on certain lands.

Which were received, the reading dispensed with, and referred to the Committee on Propositions and Grievances.

A message was received from the Senate, asking leave to withdraw from the House of Representatives the announcement of their disagreement to a bill, which originated in and passed the House of Representatives, of the following title, viz:

A bill to revise, digest, and compile the statute laws of this State.

Which was granted, and said bill delivered to the Senate messenger.

A message was received from the Senate, announcing that they had passed bills, which originated in the House of Representatives, of the following titles, viz:

An act to amend the charter of the town of Taylorsville.

An act for the benefit of James W. Lumsden, of Hickman county.

And that they had passed bills of the following titles, viz:

1. An act amending the several laws in relation to special judges of county and quarterly courts.

2. An act to regulate appeals from police courts and mayor's courts.

3. An act to incorporate the town of Earlington.

Which were read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That they be referred—the 1st to the Committee on Revised Statutes; the 2d to the Committee on the Judiciary; and the 3d to the Committee on Corporate Institutions.

A message was received from the Governor by Mr. Samuels, Assistant Secretary of State, announcing that he had approved and signed an enrolled bill, which originated in the House of Representatives, of the following title, viz:

An act authorizing the county court of Garrard county to levy a tax for the purpose of paying off an indebtedness created by it.

Mr. Thurmond, from the Committee on Propositions and Grievances, who were directed to prepare and bring in the same, reported

A bill for the benefit of T. M. Conditt, late sheriff of McLean county.

Which was read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

Said bill being engrossed, was read a third time as follows, viz:

WHEREAS, A judgment was rendered by the Franklin circuit court against T. M. Conditt, late sheriff of McLean county, and his sureties on his revenue bond for the year 1868, on account of revenue due from said Conditt to the State for said year; and whereas, on the 26th day of April, 1869, an execution issued upon said judgment

for the following amounts, to-wit: Principal, $3,216 11, with interest thereon from June 1st, 1868; damages, $643 22; costs, $3 10; Attorney General's fee, $68 45; and whereas, the said execution, with the interest, amounting at the time of payment to $207 62, has since been fully paid by the said Conditt into the Treasury of the State; therefore,

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the said T. M. Conditt be permitted to draw from the Treasury of the State $643 22, the damages; and the Auditor is directed to issue his warrant upon the Treasurer for the same.

§ 2. That this act shall take effect and be in force from its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon, in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Bunch),	John N. Furber,	James A. McKenzie,
Ervin Anderson,	Samuel G. Geisler,	Mason Morris,
Wm. F. Barret,	Robert T. Glass,	Thomas H. Moss,
Alpheus W. Bascom,	L. D. Good,	Edward Myall,
Robert C. Beauchamp,	D. Hambleton,	Joshua B. Parks,
D. M. Bowen,	William M. Hamlin,	E. A. Pearson,
Samuel W. Brents,	Ashton P. Harcourt,	Elijah C. Phister,
Howell Brewer,	J. B. Hays,	W. V. Prather,
Jesse D. Bright,	T. H. Hays,	Douglass L. Price,
E. Burr,	A. J. Hendrickson,	G. W. Quick,
James E. Cantrill,	J. L. Hibbs,	William S. Richart,
J. S. Chrisman,	Jas. R. Hindman,	George W. Riddle,
James R. Claybrook,	Elijah Hogan,	G. W. Silvertooth,
A. T. Coffman,	R. E. Humphrey,	Robert Simmons,
Thomas T. Cogar,	Elijah Hurst,	R. K. Smith,
I. B. Combs,	William Irwin, sr.,	R. M. Spalding,
R. L. Cooper,	George M. Jessee,	P. M. Thurmond,
Thomas H. Corbett,	Alfred M. Jones,	J. L. Waring,
Joseph M. Davidson,	John W. Kendall,	W. J. Webb,
F. R. Davis,	James Kilgore,	A. D. Weller,
Asbury Dawson,	Francis M. Lowe,	John F. Wight,
J. C. DeMoss,	J. J. McAfee,	John Wolf,
N. C. Dille,	James B. McCreary,	S. M. Wrather,
John Duvall,	George R. McKee,	Hugh H. York—**73.**
James P. Ford,		

Those who voted in the negative, were—

P. W. Barron,	W. W. Frazer,	W. H. Pettus,
Landon Carter,	G. W. Little,	Geo. W. Terrell,
D. E. Downing,	Wm. J. McElroy,	L. Wilson—**9.**

Resolved, That the title of said bill be as aforesaid.

Bills were reported by the several committees, who were directed to prepare and bring in the same, of the following titles, viz :

By Mr. Burr, from the Committee on Corporate Institutions—

1. A bill to charter the town of Adairville, in Logan county.

By Mr. Wrather, from the Committee on Internal Improvement—

2. A bill to amend the charter of the Union Mills Turnpike Road Company.

By same—

3. A bill to amend the charter of the Owingsville and Wyoming Turnpike Road Company.

By Mr. Pettus, from the same committee—

4. A bill to incorporate the Elkton Fair Ground Association.

By Mr. Weller, from the same committee—

5. A bill for the benefit of John B. Blair and William Johnson, of Edmonson county.

Which were read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That they be recommitted—the 1st, 2d, 3d, and 4th to the Committee on the Judiciary; and the 5th to the Committee on Internal Improvement.

Bills of the following titles were reported by the Committee on the Judiciary, viz :

By Mr. Phister—

A bill to amend an act, entitled "An act in relation to the collection of taxes in Bourbon county, in aid of the Maysville and Lexington Railroad Company, Northern Division," approved 21st March, 1870.

By Mr. Barret—

A bill to amend the charter of the Galt House Company.

Which were read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Price, from the Committee on Charitable Institutions, who were directed to prepare and bring in the same, reported

A bill for the benefit of Olivia Stewart and her husband, William Stewart.

Which was read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

Said bill being engrossed, was read a third time as follows, viz:

WHEREAS, Olivia Stewart, wife of Wm. Stewart, of Nicholas county, Ky., has been a confirmed and hopeless lunatic for over thirty-five years, and has been an inmate of the Eastern Lunatic Asylum of Kentucky for over thirty years, at the sole charge of her said husband, who has paid said institution for her board alone the sum of $4,388 40, a sum the interest on which would more than support her therein, which circumstance alone should, in justice to him, relieve him from any further charge for her remaining therein; and whereas, said Wm. Stewart is now over seventy years of age, incapable of much labor, and so reduced in his circumstances as to be no more than able to support himself, and his said wife has no estate; therefore,

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That said Wm. Stewart shall, during the remainder of his life, be relieved from any charge for the support and maintenance of said Olivia Stewart in said Eastern Lunatic Asylum, and she shall remain and be supported therein free of charge, and shall be treated in all other respects as heretofore in said institution.

§ 2. This act shall take effect and be in force from its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Phister and Prather, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Bunch),	H. G. Duerson,	James B. McCreary,
William Adair,	John Duvall,	William J. McElroy,
Silas Adams,	M. W. Ferguson,	George R. McKee,
George W. Anderson,	James P. Ford,	James A. McKenzie,
Ervin Anderson,	W. W. Frazer,	Thomas E. Moss,
William F. Barret,	John N. Furber,	Edward Myall,
P. W. Barron,	Samuel G. Geisler,	Joshua B. Parks,
Alpheus W. Bascom,	Robert T. Glass,	E. A. Pearson,
J. F. Baugh,	L. D. Good,	W. H. Pettus,
Robert C. Beauchamp,	Clinton Griffith,	Elijah C. Phister,
D. M. Bowen,	D. Hambleton,	Alfred T. Pope,
Samuel W. Brents,	Ashton P. Harcourt,	W. V. Prather,
Howell Brewer,	J. B. Hays,	Douglass L. Price,

E. Burr,	T. H. Hays,	G. W. Quick,
William B. Caldwell,	A. J. Hendrickson,	William S. Richart,
James E. Cantrill,	J. L. Hibbs,	George W. Silvertooth,
Landon Carter,	James R. Hindman,	Robert Simmons,
James R. Claybrook,	Elijah Hogan,	R. K. Smith,
A. T. Coffman,	Jeff. Holeman,	Richard M. Spalding,
I. B. Combs,	R. E. Humphrey,	Geo. W. Terrell,
R. L. Cooper,	Elijah Hurst,	P. M. Thurmond,
Thomas H. Corbett,	William Irwin, sr.,	J. L. Waring,
Joseph M. Davidson,	George M. Jessee,	John F. Wight,
F. R. Davis,	Alfred M. Jones,	L. Wilson,
Asbury Dawson,	James Kilgore,	John Wolf,
George R. Diamond,	Francis M. Lowe,	S. M. Wrather,
N. C. Dille,	G. W. Little,	Hugh H. York—83.
D. E. Downing,	J. J. McAfee,	

In the negative—none.

Resolved, That the title of said bill be as aforesaid.

Mr. McKee, from the Committee on Revised Statutes, to whom was referred a bill from the Senate, entitled

An act to amend section 26, chapter 80, of the Revised Statutes, title "Real Estate,"

Reported the same without amendment.

Ordered, That said bill be printed and placed in the orders of the day.

A message was received from the Senate, announcing that they had passed a bill, which originated in the House of Representatives, entitled

An act to amend the charter of the Galt House Company.

Mr. Silvertooth, from the Committee on Circuit Courts, who were directed to prepare and bring in the same, reported

A bill for the benefit of George L. Lanckart, of Fayette county.

Which was read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

The same was placed in the orders of the day.

Bills were reported by the several committees who were directed to prepare and bring in the same, of the following titles, viz:

By Mr. Corbett, from the Committee on Propositions and Grievances—

A bill to protect the public highways in Clark and Montgomery counties.

By same—

A bill to create the office of Superintendent of the Negro Paupers of Mercer county.

By. Mr. Wight, from the same committee—

A bill to extend the time of building fire-proof vaults in Barren county.

By Mr. Anderson, from the Committee on Corporate Institutions—

A bill to amend the charter of the town of Sharpsburg, in Bath county.

By same—

A bill to close and discontinue Cedar street, in the town of Monterey, in Owen county.

By same—

A bill for the benefit of the Gas Company of Paris.

By same—

A bill for the benefit of the citizens of Uniontown.

By same—

A bill for the benefit of the citizens of Morganfield.

By Mr. Griffith, from the same committee—

A bill to amend the charter of the town of Clayville, in Webster county.

By same—

A bill to amend the charter of the town of Dixon, in Webster county.

By same—

A bill to amend an act, entitled "An act to incorporate the Hopkins Coal Company," approved February 18, 1867.

By Mr. Burr, from the same committee—

A bill to amend an act, entitled "An act to incorporate the Preachers' Aid Society, of the Louisville Conference of the Methodist Episcopal Church, South," approved January 26, 1858.

By Mr. Downing, from the Committee on Internal Improvement—

A bill for the benefit of the Cynthiana and Connersville Turnpike Road Company.

By same—

A bill for the benefit of the Cynthiana, Paddy's Run, and Lair's Station Turnpike Road Company.

By Mr. Weller, from the same committee—

A bill declaring Bullskin creek, in Clay county, a navigable stream, from its mouth to the forks of said creek.

By Mr. Pettus, from the Committee on Internal Improvement—

A bill to amend the charter of the Bullitt County Turnpike Road Company.

By Mr. Kendall, from the Committee on Revised Statutes—

A bill to amend and reduce into one the several acts in relation to the road law in Greenup county.

Which were read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

The hour of 12 o'clock, M., having arrived, the House then, in pursuance to the law upon that subject, proceeded to the execution of the joint order of the day, viz: the election of a Public Binder for the unexpired term to which John C. Noble was elected.

On motion of Mr. Corbett, a committee was appointed, consisting of Messrs. Corbett, Chrisman, and Combs, to wait upon the Senate and inform them that the House was now ready to proceed with said election, who, after a short time, returned and reported that they had so informed the Senate.

A message was received from the Senate by Messrs. Boyd, Vallandingham, and Fox, announcing that they were also ready to proceed with said election.

Mr. Silvertooth nominated Edmund P. Noble for said office.

Mr. Myall nominated John Martin, jr.

After interchanging notices of the nominations before each body, the House then proceeded to ballot as between them, which resulted as follows, viz:

Those who voted for Mr. Noble, were—

Mr. SPEAKER (Bunch),	D. Hambleton,	Elijah C. Phister,
Ervin Anderson,	T. H. Hays,	Alfred T. Pope,
Wm. F. Barret,	J. L. Hibos,	W. V. Prather,
Robert C. Beauchamp,	Jeff. Holeman,	G. W. Quick,
D. M. Bowen,	Wm. Irwin, sr.,	Wm. S. Richart,
Wm. B. Caldwell,	Alfred M. Jones,	George W. Riddle,
Landon Carter,	John W. Kendall,	G. W. Silvertooth,

I. B. Combs,	J. J. McAfee,	Robert Simmons,
R. L. Cooper,	James B. McCreary,	R. M. Spalding,
F. R. Davis,	George R. McKee,	P. M. Thurmond,
Asbury Dawson,	James A. McKenzie,	J. L. Waring,
W. W. Frazer,	E. A. Pearson,	John F. Wight,
Robert T. Glass,	W. H. Pettus,	John Wolf—40.
Clinton Griffith,		

Those who voted for Mr. Martin, were—

William Adair,	George R. Diamond,	George M. Jessee,
Silas Adams,	N. C. Dille,	James Kilgore,
George W. Anderson,	D. E. Downing,	Francis M. Lowe,
P. W. Barron,	H. G. Duerson,	G. W. Little,
Alpheus W. Bascom,	John Duvall,	William J. McElroy,
J. F. Baugh,	M. W. Ferguson,	Mason Morris,
Samuel W. Brents,	James P. Ford,	Thomas E. Moss,
Howell Brewer,	John N. Furber,	Thomas H. Moss,
Jesse D. Bright,	Samuel G. Geisler,	Edward Myall,
E. Burr,	L. D. Good,	Joshua B. Parks,
James E. Cantrill,	William M. Hamlin,	Douglass L. Price,
J. S. Chrisman,	Ashton P. Harcourt,	R. K. Smith,
James R. Claybrook,	J. B. Hays,	George W. Terrell,
A. T. Coffman,	A. J. Hendrickson,	W. J. Webb,
Thomas T. Cogar,	James R. Hindman,	A. D. Weller,
Thomas H. Corbett,	Elijah Hogan,	L. Wilson,
Joseph M. Davidson,	R. E. Humphrey,	S. M. Wrather,
J. C. DeMoss,	Elijah Hurst,	Hugh H. York—54.

On motion, a committee was appointed, consisting of Messrs. Corbett, Chrisman, and Combs, to act in conjunction with a committee appointed by the Senate for the same purpose, to compare the result of the joint vote, and to report the result thereof to this House.

Mr. Corbett, from said committee, after having compared the result, reported that the joint vote stood thus:

For Mr. Martin, - - - - - - - - - -	67 votes.
For Mr. Noble, - - - - - - - - - -	58 votes.
For Mr. Hines, - - - - - - - - - -	1 vote.

And thereupon the Speaker announced that John Martin, jr., having received a majority of all the votes cast in both Houses, was declared to be duly elected Public Binder for the unexpired term for which John C. Noble had been elected.

And then the House adjourned.

FRIDAY, JANUARY 13, 1871.

Mr. Quick, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to amend the charter of the Galt House Company;

An act for the benefit of James W. Lumsden, of Hickman county;

An act to amend the charter of the town of Taylorsville;

And had found the same truly enrolled.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Quick inform the Senate thereof.

The following remonstrance and petitions were presented, viz:

By Mr. Little—

1. The remonstrance of sundry citizens of Whitley county, against attaching a portion of said county to the county of Josh Bell.

By Mr. Wolf—

2. The petition of sundry citizens of Kenton county, asking a charter for the Cincinnati Southern Railway.

By Mr. Humphrey—

3. The petition of sundry citizens of the town of Calhoon, in McLean county, praying the repeal of a law to prohibit the sale of spirituous, vinous, or malt liquors in said town, or within two miles thereof.

Which were received, the reading dispensed with, and referred—the 1st and 3d to the Committee on Propositions and Grievances; and the 2d to the Committee on Railroads.

On motion of Mr. Bowen, leave of absence, indefinitely, is granted Mr. Bright.

A message was received from the Senate, announcing that they had passed bills, which originated in the House of Representatives, of the following titles, viz:

An act for the benefit of Dennis Mulligan, of Lexington.

An act for the benefit of the owners of Clay's Ferry, on the Kentucky river.

And that they had passed bills of the following titles, viz:

1. An act to incorporate the town of Rich Pond, in Warren county

2. An act to legalize the proceedings of the Barren county court in reference to the estate of John D. Courts, deceased, and for other purposes.

3. An act to amend an act, entitled "An act to establish a levy and county court for Jefferson county."

Which were read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That the first be referred to the Committee on Corporate Institutions, and the 2d to the Committee on the Judiciary.

The rule being dispensed with, the 3d was taken up and ordered to be read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Phister moved to reconsider the vote by which the House made the bill, entitled

A bill to abolish the court of common pleas in Webster county,

The special order of the day for the 16th instant.

And the question being taken on said motion, it was decided in the affirmative.

The House then took up said bill.

Ordered, That said bill be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. McCreary, from the Committee on Revised Statutes, to whom had been referred the petition of citizens of Estill and other counties, praying for the formation of a new county out of parts of Estill and other counties, moved that the committee be discharged from the further consideration of the same.

And the question being taken thereon, it was decided in the affirmative.

Mr. Cantrill moved to reconsider said vote.

Mr. McCreary moved to lay the motion of Mr. Cantrill on the table.

And the question being taken on the motion of Mr. McCreary, it was decided in the affirmative.

Mr. McElroy moved that a message be sent to the Senate, asking leave to withdraw therefrom the announcement of the passage by this House of a bill, entitled

A bill in relation to stationery furnished members of the General Assembly.

And the question being taken on the motion of Mr. McElroy, it was decided in the negative.

Mr. McKenzie, from the Committee on Railroads, to whom was recommitted a bill, entitled

A bill to authorize the trustees of the Cincinnati Southern Railway to acquire the right of way, and to extend a line of railway through certain counties in this Commonwealth,

Reported the same, with sundry amendments thereto, but without the expression of the opinion of the committee thereon.

On motion of Mr. McKenzie, said bill and amendments are made the special order of the day for Wednesday next, 18th instant, at 10½ o'clock, A. M.

Mr. McKenzie, from the Committee on Railroads, to whom was recommitted a bill, entitled

A bill to provide additional security to railroad passengers within this Commonwealth,

Reported the same without amendment, and with the expression of opinion that said bill ought not to pass.

On motion of Mr. McKee, said bill was recommitted to the same committee.

Mr. Silvertooth, from a select committee, who were directed to prepare and bring in the same, reported

A bill to authorize the St. Louis and Iron Mountain Railroad Company to extend their road through Columbus, in this State.

Which was read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Mr. T. E. Moss offered an amendment thereto, which was adopted.

Ordered, That said bill, as amended, be engrossed and read a third time.

Said bill being engrossed, was read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That it shall and may be lawful for the St. Louis and Iron Mountain Railroad Company, established and incorporated by an act of the Legislature of the State of Missouri, approved March 3d, 1851, to have the right of way upon the bank of the Mississippi river, in front of the city of Columbus, in this Commonwealth, and along and over the streets of said city, for the purpose of extending their railroad from the bluff at the upper point of said city to the depot grounds and main track of the Mobile and Ohio Railroad, located within said city of Columbus: *Provided, however*, That before the right herein granted shall be exercised by the St. Louis and Iron Mountain Railroad Company, said company shall have first obtained the consent of the mayor and council of said city thereto.

§ 2. That in the enjoyment and exercise of the right granted in the first section of this act, the St. Louis and Iron Mountain Railroad Company shall be entitled to all the privileges, rights, and immunities, and be subject to all such restrictions as are granted, made, and prescribed for the benefit, government, and direction of said company, by the act of their incorporation aforesaid: *Provided, however*, That nothing in this act shall be construed to exempt the property of said company within this Commonwealth from such taxation as may be fixed and prescribed by the laws of Kentucky: *Provided further*, Nothing herein shall be construed as preventing the issue and levy of attachments, and sustaining actions against said corporation as a foreign corporation, as provided by section 221, Civil Code.

§ 3. That this act shall take effect from and after its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. E. Anderson and Price, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Bunch),	D. E. Downing,	James A. McKenzie,
William Adair,	H. G. Duerson,	Mason Morris,
Silas Adams,	John Duvall,	Thomas E. Moss,
Geo. W. Anderson,	M. W. Ferguson,	Thomas H. Moss,
Ervin Anderson,	James P. Ford,	Edward Myall,
J. M. Atherton,	W. W. Frazer,	Joshua B. Parks,
Wm. F. Barret,	John N. Furber,	E. A. Pearson,
P. W. Barron,	Samuel G. Geisler,	W. H. Pettus,
Alpheus W. Bascom,	Robert T. Glass,	Elijah C. Phister,
J. F. Baugh,	L. D. Good,	Alfred T. Pope,
Robert C. Beauchamp,	D. Hambleton,	W. V. Prather,
D. M. Bowen,	Ashton P. Harcourt,	Douglass L. Price,
Samuel W. Brents,	J. B. Hays,	G. W. Quick,
Howell Brewer,	T. H. Hays,	William S. Richart,
E. Burr,	J. L. Hibbs,	George W. Riddle,
William B. Caldwell,	James R. Hindman,	George W. Silvertooth,

James E. Cantrill,	Elijah Hogan,	Robert Simmons,
J. S. Chrisman,	Jeff. Holeman,	R. K. Smith,
James R. Claybrook,	R. E. Humphrey,	Richard M. Spalding,
A. T. Coffman,	Elijah Hurst,	George W. Terrell,
Thomas T. Cogar,	William Irwin, sr.	P. M. Thurmond,
I. B. Combs,	George M. Jessee,	J. L. Waring,
R. L. Cooper,	Alfred M. Jones,	W. J. Webb,
Thomas H. Corbett,	James Kilgore,	A. D. Weller,
Joseph M. Davidson,	Francis M. Lowe,	John F. Wight,
F. R. Davis,	G. W. Little,	John Wolf,
Asbury Dawson,	James B. McCreary,	S. M. Wrather,
J. C. DeMoss,	George R. McKee,	Hugh H. York—85.
N. C. Dille,		

In the negative—none.

Resolved, That the title of said bill be as aforesaid.

Mr. G. W. Anderson, from the Committee on Corporate Institutions, who were directed to prepare and bring in the same, reported

A bill to amend the charter of the Louisville Furniture Manufacturing Company.

Which was read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be recommitted to the Committee on the Judiciary.

Mr. Corbett, from the Committee on Propositions and Grievances, to whom was referred a bill from the Senate, entitled

An act to repeal an act, entitled "An act to prohibit the sale or vending, or giving of vinous, spirituous, or malt liquors in the town of Irvine, or within two miles of the limits thereof," approved March 12th, 1869,

Reported the same without amendment.

Ordered, That said bill be read a third time.

Said bill was then read a third time.

And the question being taken on the passage thereof, it was decided in the affirmative.

Resolved, That the title of said bill be as aforesaid.

Bills were reported by the several committees, who were directed to prepare and bring in the same, of the following titles, viz:

By Mr. Thurmond, from the Committee on Propositions and Grievances—

A bill for the benefit of the sheriff of Caldwell county.

By same—

A bill for the benefit of the sheriff of Lyon county.

By Mr. Barret, from the Committee on the Judiciary—

A bill to amend an act, entitled "An act to incorporate the Church of the Messiah, of Louisville."

By Mr. McKenzie, from the Committee on Railroads—

A bill to incorporate the Elkton Railroad Company.

By Mr. T. E. Moss, from the Committee on County Courts—

A bill changing the time of holding county courts in Harrison county.

Which were read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Leave was given to bring in the following bills, viz:

On motion of Mr. Hindman—

1. A bill to create additional voting places in the Columbia district, in Adair county.

On motion of Mr. Corbett—

2. A bill for the benefit of Hermon V. Cothes, in Ballard county.

On motion of Mr. Bascom—

3. A bill to amend the revenue laws of this Commonwealth.

On motion of Mr. Combs—

4. A bill for the benefit of Wm. Allen, sheriff of Breathitt county.

On motion of Mr. Harcourt—

5. A bill to repeal certain acts relative to the Louisville and Taylorsville Turnpike Road Company, and to amend the charter of the same.

On motion of Mr. Hamlin—

6. A bill to allow pay to overseers of roads in this Commonwealth.

On motion of Mr. McKenzie—

7. A bill to amend an act, entitled "An act to amend and reduce into one the several acts concerning the town of Hopkinsville," approved March 5, 1870.

On motion of Mr. Richart—

8. A bill continuing in force an act authorizing the marking and defining the line between the counties of Bourbon and Montgomery, approved January 11, 1870.

On motion of same—

9. A bill regulating the tolls and freight on certain turnpike roads in Bourbon and Montgomery counties.

On motion of Mr. Griffith—

10. A bill to change the time of payment of the State revenue into the Treasury, and to amend the revenue laws.

On motion of Mr. Webb—

11. A bill to amend an act to establish the town of Beattyville, in the county of Owsley.

On motion of same—

12. A bill for the benefit of common school commissioners.

On motion of Mr. Price—

13. A bill to amend section 846 of Civil Code of Practice.

On motion of Mr. Davidson—

14. A bill to prevent the sale of ardent spirits in the county of Floyd.

On motion of Mr. E. Anderson—

15. A bill to amend the common school law.

On motion of Mr. Beauchamp—

16. A bill to empower the police judge of the town of Hawesville to appoint the time of holding his courts.

On motion of Mr. Jessee—

17. A bill to charter the Eminence Agricultural and Mechanical Association.

On motion of same—

18. A bill to amend the charter of the New Castle and Drennon's Lick Turnpike Road Company.

On motion of same—

19. A bill to amend the charter of the Eminence and Ballardsville Turnpike Company.

On motion of same—

20. A bill to incorporate the Sligo and Pendleton's Station Turnpike Road Company.

On motion of Mr. Cogar—

21. A bill to repeal all acts and parts of acts declaring the Kentucky river a navigable stream above the influence of slackwater.

On motion of Mr. Wolf—

22. A bill to amend the charter of the Florence and Independence Turnpike Road Company.

On motion of Mr. Furber—

23. A bill to amend the 9th chapter of title 10th of the Civil Code of Practice, title "Forcible Entry and Detainer."

On motion of Mr. Baugh—

24. A bill to create a new voting place in Raccoon district, in Laurel county.

On motion of Mr. Pope—

25. A bill concerning the titles of John C. King, H. J. Lewis & Bro., and E. H. Bland, to certain real estate, formerly owned by Lizardi Brothers, in the city of Louisville, State of Kentucky.

On motion of same—

26. A bill to re-enact an act, entitled "An act to provide a mechanics' lien law for the city of Louisville and county of Jefferson."

On motion of Mr. Barret—

27. A bill for the better securing land titles against secret encumbrances.

On motion of Mr. G. W. Anderson—

28. A bill to incorporate the Financial Oil Company.

On motion of Mr. McCreary—

29. A bill in relation to posting lands.

On motion of Mr. Hibbs—

30. A bill for the benefit of W. R. Stringer, of Livingston county.

On motion of same—

31. A bill for the benefit of Thomas Leeper, of Livingston county.

On motion of Mr. T. E. Moss—

32. A bill to revise the charter of Paducah.

On motion of same—

33. A bill to amend the charter of the University of Paducah.

On motion of Mr. Phister—

34. A bill to amend the charter of the Dividing Ridge Turnpike Road Company, of Mason county.

On motion of Mr. Humphrey—

35. A bill to repeal an act, entitled "An act to prohibit the sale of spirituous, vinous, or malt liquors in the town of Calhoon, or within two miles thereof," approved March 21, 1870.

On motion of Mr. Adams—

36. A bill for the benefit of the commissioner of common schools in Casey county.

On motion of Mr. Bowen—

37. A bill to make an appropriation to finish, furnish, and complete the fire-proof offices in the city of Frankfort.

Ordered, That the Committee on Privileges and Elections prepare and bring in the 1st and 24th; the Committee on Propositions and Grievances the 2d, 5th, 6th, 8th, 11th, and 35th; the Committee on Ways and Means the 3d, 4th, and 28th; the Committee on Corporate Institutions the 7th and 32d; the Committee on Internal Improvement the 9th, 18th, 19th, 20th, 21st and 22d; the Committee on Revised Statutes the 10th, 16th, 27th, and 29th; the Committee on Education the 12th, 15th, 33d, and 36th; the Committee on Codes of Practice the 13th and 23d; the Committee on County Courts the 14th; the Committee on Agriculture and Manufactures the 17th; the Committee on the Judiciary the 25th, 26th, and 34th; the Committee on Claims the 30th and 31st; and the Committee on Public Offices the 37th.

Mr. Barret, from the Committee on the Judiciary, to whom was referred a bill from the Senate, entitled

An act to authorize the St. Louis Bertrand Society, of the city of Louisville, to issue mortgage bonds,

Reported the same without amendment.

Ordered, That said bill be read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

The House then took up from the orders of the day a bill, entitled

A bill to repeal an act, entitled "An act to authorize creditors in certain cases to garnishee before judgment or return of no property."

Said bill reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That an act, approved March 15th, 1870, entitled "An act to authorize creditors in certain cases to garnishee before judgment or return of no property," be, and the same is hereby, repealed.

§ 2. This act shall take effect from and after its passage, but shall not apply to suits that are now pending and which were instituted under the act which this seeks to repeal.

Mr. Pope moved to add to the bill these words:

Provided, That the act hereby repealed shall apply to and remain in full force in Jefferson county.

Mr. Price moved to amend the amendment of Mr. Pope by adding after the word "Jefferson" the words "and Fayette."

Mr. Davidson then moved to lay said bill and amendments on the table.

And the question being taken on the motion of Mr. Davidson, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. McCreary and Barret, were as follows, viz:

Those who voted in the affirmative, were—

William Adair,	D. E. Downing,	Wm. Irwin, sr.,
Silas Adams,	M. W. Ferguson,	Alfred M. Jones,
George W. Anderson,	James P. Ford,	James Kilgore,
Ervin Anderson,	W. W. Frazer,	Francis M. Lowe,
P. W. Barron,	John N. Furber,	J. J. McAfee,
Alpheus W. Bascom,	Samuel G. Geisler,	William J. McElroy,
J. F. Baugh,	L. D. Good,	Mason Morris,
Robert C. Beauchamp,	Clinton Griffith,	Thomas E. Moss,
D. M. Bowen,	D. Hambleton,	Edward Myall,
Wm. B. Caldwell,	Ashton P. Harcourt,	W. H. Pettus,
James E. Cantrill,	J. B. Hays,	Elijah C. Phister,
J. S. Chrisman,	T. H. Hays,	Alfred T. Pope,
James R. Claybrook,	A. J. Hendrickson,	Douglass L. Price,
A. T. Coffman,	J. L. Hibbs,	Wm. S. Richart,
R. L. Cooper,	James R. Hindman,	R. M. Spalding,
Joseph M. Davidson,	Elijah Hogan,	George W. Terrell,
Asbury Dawson,	Jeff. Holeman,	J. L. Waring,
N. C. Dille,	R. E. Humphrey,	S. M. Wrather—54.

Those who voted in the negative, were—

Mr. SPEAKER (Bunch),	John Duvall,	G. W. Quick,
Wm. F. Barret,	William M. Hamlin,	G. W. Silvertooth,
Samuel W. Brents,	George M. Jessee,	Robert Simmons,
Howell Brewer,	G. W. Little,	R. K. Smith,
E. Burr,	James B. McCreary,	P. M. Thurmond,
Landon Carter,	George R. McKee,	W. J. Webb,
I. B. Combs,	James A. McKenzie,	A. D. Weller,
Thomas H. Corbett,	Thomas H. Moss,	John F. Wight,
F. R. Davis,	Joshua B. Parks,	John Wolf
George R. Diamond,	E. A. Pearson,	Hugh H. York—32.
H. G. Duerson,	W. V. Prather,	

And so said bill was rejected.

And then the House adjourned.

SATURDAY, JANUARY 14, 1871.

The Speaker laid before the House the following communication, viz:

OFFICE AUDITOR PUBLIC ACCOUNTS,
FRANKFORT, KY., January 14, 1871.

Hon. JOHN T. BUNCH, *Speaker House Representatives:*

SIR: At the request of the Commissioners, I herewith transmit to the General Assembly their report of the probable cost of removing the obstructions out of Red river, from its mouth to the mouth of Stillwater, as provided by the act approved March 21st, 1870.

I am, sir, very respectfully,

Your obedient servant,

D. HOWARD SMITH, *Auditor.*

To the Honorable the General Assembly of the State of Kentucky:

The undersigned, Commissioners appointed by your honorable body, by act approved March 21st, 1870, to examine and report the probable cost of removing the obstructions out of Red river from its mouth to the mouth of Stillwater, respectfully report:

That on the 1st day of August, 1870, they commenced the duties assigned to them, and continued the same up to the 21st day of December, 1870. That they have made three divisions of said river, and numbered them, respectively, Nos. 1, 2, and 3.

DIVISION No. 1

Commences at the mouth of Red river, and runs a distance of thirty (30) miles, terminating at the dam of the Red River Iron Manufacturing Company, near the line of Estill and Powell counties. That the probable cost of removing the obstructions in said Division will be as follows:

1st. For chopping down and removing leaning trees that obstruct the navigation of the river, the sum of	$200 00
2d. For removing all other obstructions, including blasting and removing rock that obstruct the navigation of said river, the sum of	300 00
Making in all, for Division No. 1	$500 00

Your Commissioners would further report, that the Red River Iron Manufacturing Company have agreed to build a chute in the dam mentioned, at the termination of Division No. 1, free of cost, so that rafts, coal and lumber boats, can pass in safety.

DIVISION No. 2

Commences at the dam of the Red River Iron Manufacturing Company, and terminates at Gay's Ferry, near the mouth of the South Fork of Red river, a distance of twenty-five (25) miles. That the probable cost of removing the obstructions in said Division will be as follows:

1st. For chopping down and removing leaning trees that obstruct the navigation of said river, the sum of	$1,500 00
2d. For removing logs and snags	500 00
3d. For blasting and removing rock, and changing the channel of the river	1,500 00
Making in all, for Division No. 2	$3,500 00

DIVISION No. 3

Commences at Gay's Ferry, and terminates at Swift's Camp, in Wolfe county, passing through Powell and Menifee counties, and runs a distance of thirty-three (33) miles. That the probable cost of removing the obstructions in said Division will be as follows:

1st. For chopping down and removing leaning trees that obstruct the navigation of said river, the sum of	$2,000 00
2d. For removing logs and snags	1,000 00
3d. For blasting and removing rock	2,500 00
4th. For changing channel of river	700 00
Making in all, for Division No. 3	$6,200 00

RECAPITULATION.

Amount required to remove obstructions from Division No. 1	$500 00
Amount required to remove obstructions from Division No. 2	3,500 00
Amount required to remove obstructions from Division No. 3	6,200 00
The total sum required being	$10,200 00

Which amount your Commissioners, after a careful examination and estimate, are of opinion will fully remove all the obstructions from said river, from the mouth of the same to Swift's Camp, and render the same safe and navigable for rafts, coal and lumber boats.

Your Commissioners would further report, that Division No. 1 of said river has been partially cleaned out by the Red River Iron Manufacturing Company, which will explain the reason why the estimate for that Division is so much lower than the other Divisions.

Your Commissioners would further report, that there has been recent discoveries of large and paying veins of bituminous and cannel coal made along the line of said river, on the lands of J. S. Pittman, Esq., John Holmes, Esq., and Joseph Kessler, Esq., in Powell

county, and on the lands of Joseph Chambers and McGowan's heirs, in Wolfe county. Said veins of coal being from 18 inches to 4 feet in thickness, and are apparently inexhaustible. All of said coal banks are situated in Division No. 3 of said river, and there is no means of getting the same to market except by the way of Red river; and in the present condition of the river that is impossible. There is also large quantities of timber of the finest quality, consisting of yellow and white pine, yellow poplar, black walnut, cedar, and locust, that cannot be brought to market for the reasons above stated.

Your Commissioners further report, that immense beds of iron ore are deposited in Estill, Powell, Wolfe, and Menifee counties, along the line of said river, and it only needs a way to be opened to make it profitable.

Your Commissioners further report, that the citizens of Estill, Powell, Wolfe, and Menifee counties ask your honorable body to assist them by an appropriation to remove the obstructions from said river, believing that in so doing the prosperity and interest, not only of the said counties but of the State at large, would be advanced, by raising said counties from the condition they are now in and making them rank as first-class counties; and would further state, that this is the first and only appropriation ever asked for State aid in removing the obstructions from said river.

Your Commissioners would further report, that after having carefully examined Red river to the mouth of Stillwater, as required by the act appointing them, they are of opinion that it is impracticable to remove the obstructions from said river higher up than Swift's Camp, a distance of about four miles from the mouth of Stillwater, on account of the immense quantities of rock in the river, both in the channel and along the banks, which would require a large sum of money to remove.

Your Commissioners would further report, that since the passage of said act one of the Commissioners appointed by said act has departed this life, and that the entire survey and estimate of said river was made by the undersigned, who have performed all the services required by said act.

All of which is respectfully submitted.

W. FRANK CRAWFORD,
J. S. PITTMAN,

DECEMBER 24TH, 1870. *Commissioners.*

Ordered, That said report be printed, and referred to the Committee on Internal Improvement.

The Speaker laid before the House the following communication, viz:

OFFICE AUDITOR PUBLIC ACCOUNTS,
FRANKFORT, KY., January 14th, 1871.

HON. JOHN T. BUNCH, *Speaker House Representatives:*

SIR: In obedience to law, I herewith lay before the General Assembly, through you, a settlement of the accounts of S. I. M. Major, Esq., Public Printer, from the first Monday in August, 1868, to the first Monday in August, 1870, inclusive.

I have the honor to be,
Very respectfully,
D. HOWARD, SMITH, *Auditor.*

FRANKFORT, KY., August 1st, 1870.

S. I. M. MAJOR, *Public Printer,*
In account with Commonwealth of Kentucky: DR.

1868.				
October	20.	To warrant No. 5022	$2,000 00	
1869.				
January	9.	To warrant No. 187	1,000 00	
January	16.	To warrant No. 395	522 00	
January	30.	To warrant No. 820	1,000 00	
February	6.	To warrant No. 1072	2,259 75	
February	27.	To warrant No. 1676	500 00	
March	3.	To warrant No. 1751	1,204 24	
March	27.	To warrant No. 2498	3,825 03	
May	3.	To warrant No. 3244	1,927 27	
May	25.	To warrant No. 3641	2,154 91	
June	15.	To warrant No. 4175	1,567 90	
June	30.	To warrant No. 4531	2,156 06	
August	6.	To warrant No. 5144	1,856 55	
November	27.	To warrant No. 6687	827 54	
December	11.	To warrant No. 7106	1,385 05	
December	24.	To warrant No. 7563	993 58	
				$25,179 88
1870.				
January	00.	To warrant No. 261	$504 86	
January	22.	To warrant No. 753	727 55	
February	5.	To warrant No. 1062	785 35	
February	12.	To warrant No. 1233	866 93	
February	19.	To warrant No. 1353	636 35	
March	5.	To warrant No. 1581	680 65	
March	12.	To warrant No. 1731	459 00	
March	17.	To warrant No. 1807	500 00	
March	21.	To warrant No. 1879	300 00	
March	29.	To warrant No. 2142	263 61	
March	26.	To wrarant No. 2114	266 67	
April	2.	To warrant No. 2251	910 61	
April	11.	To warrant No. 2451	614 67	
April	23.	To warrant No. 2747	1,972 19	
April	30.	To warrant No. 2865	745 48	
May	14.	To warrant No. 3118	1,333 33	
May	28.	To warrant No. 3331	663 75	
June	11.	To warrant No. 3508	800 00	
June	20.	To warrant No. 3598	557 30	
July	6.	To warrant No. 3784	1,777 98	
July	15.	To warrant No. 3837	1,845 51	
July	23.	To warrant No. 3892	885 34	
				18,097 13
Amount carried forward				$43,277 01

Amount brought forward			$43,277 01
CREDITS.			
By bills received against following offices, viz:			
Commonwealth, to 10th October, 1869	$19,902 06		
Commonwealth, to 15th March, 1870	6,520 95		
Commonwealth, to 1st August, 1870	12,371 41		
		$38,794 42	
Auditor's Office, to 10th October, 1869	$1,022 59		
Auditor's Office, to 15th March, 1870	291 66		
Auditor's Office, to 1st August, 1870	420 33		
		1,734 58	
Adjutant General's Office, to 10th October, 1869	$109 00		
Adjutant General's Office, to 15th March, 1870,	13 33		
Adjutant General's Office, to 1st August, 1870,	46 33		
		168 66	
Superintendent Public Instruction, to 10th October, 1869	$540 95		
Superintendent Public Instruction, to 15th March, 1870	169 75		
Superintendent Public Instruction, to 1st August, 1870	1,260 32		
		1,971 02	
Board Internal Improvement, to 2d August, 1869		17 33	
Treasurer, to 10th October, 1869	$70 67		
Treasurer, to 15th March, 1870	46 67		
Treasurer, to 1st August, 1870	26 67		
		144 01	
Register Land Office, to 10th October, 1869	$84 00		
Register Land Office, to 15th March, 1870	46 33		
Register Land Office, to 1st August, 1870	423 00		
		553 33	
Quarter-Master General's Office, to 10th October, 1869	$51 67		
Quarter-Master General's Office, to 15th March, 1870	36 37		
Quarter-Master General's Office, to 1st August, 1870	6 67		
		94 71	
Attorney General, to 10th October, 1869	$21 08		
Attorney General, to 15th March, 1870	15 66		
		36 74	
Secretary of State, to 10th October, 1869	$177 74		
Secretary of State, to 15th March, 1870	67 69		
Secretary of State, to 1st August, 1870	78 33		
		323 76	
State Librarian		14 67	
			43,853 23
Balance due Public Printer			$576 22

1870.		
November 12.	To warrant No. 4833	$200 00
December 10.	To warrant No. 5691	376 22
		$576 22

Attest: D. HOWARD SMITH, *Auditor.*

Ordered, That said report be printed, and referred to the Committee on Printing.

On motion, leave of absence, indefinitely, was granted Messrs. Adair and Baugh.

Mr. Quick, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act for the benefit of Dennis Mulligan, of Lexington;

An act for the benefit of the owners of Clay's Ferry, on the Kentucky river;

And had found the same truly enrolled.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Quick inform the Senate thereof.

The following petitions were presented, viz:

By Mr. Smith—

1. The petition of citizens of Augusta, Bracken county, praying the passage of a law allowing George O'Neal to keep a coffee-house for one year in said city, with the privilege of retailing spirituous liquors.

By Mr. McKenzie—

2. The petition of citizens of Christian county, praying for the formation of an additional justices' district in said county.

By Mr. J. B. Hays—

3. The petition of citizens of South Carrollton, praying for a certain amendment to their town charter.

By Mr. Kilgore—

4. The petition of citizens of Carter county, praying the passage of an act upon the subject of the collection and payment of taxes.

By Mr. Hardin—

5. The petition of citizens of New Haven, praying for the passage of an act to forbid the trustees of said town from granting license to bar and saloon keepers to sell intoxicating liquors, and forbidding its sale by merchants in less quantities than a gallon, and not to be drunk on the premises, &c.

Which were received, the reading dispensed with, and referred—the 1st, 3d, and 5th to the Committee on Propositions and Grievances; the 2d to the Committee on Privileges and Elections; and the 4th to the Committee on Ways and Means.

Mr. McKee presented the petition of members of the Legislature of Tennessee, which was taken up and read as follows, viz:

STATE CAPITOL, NASHVILLE, TENNESSEE,
January 10, 1871.

To the honorable the Legislature of the Commonwealth of Kentucky:

The undersigned, your petitioners, would most respectfully repre-

sent unto your honorable body, that the State of Tennessee has at all times given aid and encouragement to enterprises of an internal improvement character, which tended to develop the mineral, agricultural, and commercial interests of the country; and have granted liberal legislation, and have expended great sums of money to complete great lines of commercial transit; and have, in furtherance of the demands of trade and commercial intercourse, now in course of construction the following lines, which are intended to connect with the railway system of Central Kentucky, viz:

The Tennessee and Pacific Railroad;

The Southern Railroad;

The Knoxville and Kentucky Railroad; and

The Cincinnati, Cumberland Gap, and Charleston Railroad.

Believing that the speedy completion of the above named railroads depend upon the passage of the bill now pending in your honorable Legislature to grant the right of way to the Trustees of the Cincinnati Southern Railway; and further believing that the building of said railway would be both a great benefit to Kentucky and Tennessee, we would therefore most earnestly petition your honorable Legislature to grant said right of way to said Trustees to build said road.

Your petitioners, in duty bound, will ever pray.

SENATORS.

EM. ETHERIDGE,
WM. GREENE,
J. W. CLEMENTSON,
P. P. C. NELSON,
A. C. MARTIN,
LEWIS F. SELF,
FAVER CASON,
A. A. PEARSON,
J. G. PALMER,
ASA FAULKNER,
BALIE PEYTON,
J. R. EASON,
M. R. MILLSAPS,
D. M. McFALL,
W. M. HALL,
JAMES C. LUTTRELL,
D. C. SLAUGHTER,
D. W. HAWES,
JOHN S. HART.

REPRESENTATIVES.

H. TOWNSEND,
ASHLEY L. SPEARS,
W. J. KELLY,
HENRY BROWN,
J. R. JAMES,
PETER PEARSON,
JNO. T. BABER,

REPRESENTATIVES.

D. F. HARRISON,
W. D. KENNY,
J. A. LACKEY,
SAM. L. COLVILLE,
J. S. LONGACRE,
J. W. HARRIS,
B. A. ENLOE,
J. D. CURL,
R. G. YAAHM,
A. W. COX,
JNO. SLACK,
WM. BURTON,
W. F. HINKLE,
J. S. R. BOYD,
G. P. HAMPTON,
JAMES WHITE,
WILL. W. McBATH,
J. F. OWEN,
M. STEPHENS,
J. F. SCOTT,
M. MORRISON,
SAM. H. JONES,
JAS. W. CLARK,
W. H. ECKEL,
F. S. SINGLETARY,
WM. S. McGAUGHEY,
ZAC. BRYANT,
W. J. McFARLAND,

ABNER A. STEELE,
W. B. WILSON,
W. B. RUSSELL,
WM. SMITH,
GEO. W. EVERETT,
E. A. JAMES,
W. R. SADLER,
R. B. CHEATHAM,
OTHO THOMAS,
THOS. B. McELWEE,
W. T. NIXON,
A. D. NICKS,
D. H. KING,
B. BAGETT,
JOS. W. BAKER,
J. M. LAYMAN,
GEORGE KENNY,
HENRY YOUNG,
S. L. WARREN,
GILES H. GLEM,
W. A. WEST,
J. L. McCLARY,
JOSEPH B. DILLIN,
H. R. SHERROD,
J. C. SANDERS.

On motion of Mr. McKee,

Ordered, That the same be printed.

Mr. McKee also presented a memorial, which was read as follows, viz:

To the Honorable the General Assembly of the Commonwealth of Kentucky:

Respectfully representing, that we were appointed a Committee to memorialize the Legislature upon the subject of the Southern Railroad, under a resolution passed by the Southern Railroad Convention, which assembled at Lexington on the 10th day of October, 1870, we beg leave to present to your honorable body the following resolutions, which were unanimously adopted by the said Convention:

"The Committee on Resolutions submitted the following report:

"The counties of Boyle, Bath, Bourbon, Fayette, Clark, Franklin, Grant, Garrard, Jessamine, Kenton, Mercer, Madison, Pulaski, Powell, Scott, Wayne, Woodford, Boone, Owen, Lincoln, Greenup, Harrison, and Campbell, and the cities of Covington, Newport, and Lexington, assembled in Convention to determine what the interest and duty of Kentucky require as to the construction of a Southern Railway connecting the city of Cincinnati and the railways terminating with the city of Chattanooga, and the railways centering there, and thus connecting the great Northern and Southern railway systems by a trunk line through the heart of Kentucky, recognize the vast importance to the country, to the State of Kentucky, and the particular section of the State through which said road may run, of the early completion of said railway; and that the only hope of obtaining such a road is the acceptance of the offer made by the city of Cincinnati. No language can overstate the importance of such a road to Kentucky. It would open to immigration and development a country possessing exhaustless, but now unavailable, mineral wealth, forests of the finest timber, and water power of the greatest value. It would bring a market to a country of surpassing fertility, abounding in every variety

of grain and every species of stock. It would transform pauper counties into counties of wealth. Its completion would necessitate the construction of a railway from the Big Sandy to Western Kentucky, thereby rendering certain the construction of the road from Norfolk or Baltimore to the Great West. To be thus enriched, Kentucky is only asked to allow this road to be constructed through her territory, and the entire State is interested in granting the request. The Legislature of Kentucky represents the State, and the interests of the State demand the construction of this road; therefore, it is

"1. *Resolved*, That the Legislature of Kentucky be, and is hereby, requested to enact such legislation as may be necessary to the speedy construction of this great enterprise, and that a committee to bring this matter properly before the Legislature be appointed, and each county is requested to appoint a standing committee on railroads favorable to this enterprise.

"2. That the thanks of this Convention are hereby tendered to those members of the Legislature who voted for the charter of the Southern road at the late session thereof, and especially to those members from the western part of the State who recognized that this was not a sectional but a State question; and we express our sanguine expectation that their course will be approved, not only by us and their constituents, but by many of their colleagues who then opposed them, and by the State at large.

"3. This Convention expresses no choice as to the routes, recognizing that the great object is to get the road, and that its location is of secondary importance, and that its completion will render practicable the construction of important branch roads.

"4. That it is the opinion of this Convention that this project would gain strength by discussions before the people, and therefore the following gentlemen are appointed to make such discussions: John G. Carlisle, Captain James E. Cantrill, C. B. Simrall, George R. McKee, Ed. Turner, Jas. Chrisman, Edward Marshall, Col. R. S. Bevier, and Captain J. Cartwell.

"Signed, HENRY STANBERRY, *Chairman.*

"JAMES E. CANTRILL, *Secretary.*"

We further state that this Convention was composed of over two thousand delegates, the leading and representative men of their respective counties, who assembled in the interest of a large and important section of our State, and were supported by the unques-

tioned unanimity of over three hundred thousand Kentuckians. These, our fellow-citizens, feel that the early completion of this road will do more to develop and unfold the great resources of Central Kentucky than any other project ever heretofore agitated. It will afford market and communication to one of the finest regions on the American continent. It will give to the world the almost fabulous mineral wealth now hidden beneath the barren soil of pauper counties. It will constitute a grand trunk line through the heart of Kentucky, connecting the railway systems of the North and South. It will serve to make our State the commercial center of the great Mississippi Valley, and the thoroughfare of a continent. It will become a channel of commerce through which will be exchanged the productions of two different zones—the agricultural and mechanical results of the North with the great staples of the South; and it will add hundreds of millions to the wealth, and hundreds of thousands to the revenue of the State.

Divested of all objectionable features, containing ample guarantees that the legal and political rights of Kentuckians shall be regarded and fully protected, and rigidly restricting the powers and franchises of the Trustees of said railroad, the charter as now presented receives the sanction, indorsement, and cordial support of a larger portion of the citizens of our State than has ever in the history of its past been manifested in support of any other proposed act of incorporation. For these, and other reasons that might be stated, we respectfully but earnestly ask the Legislature to grant the necessary chartered privileges.

JAMES L. ALLEN,
W. L. SIMMONS,
GEO. G. PERKINS,
M. POLK,
ROBERT J. BRECKINRIDGE,
T. B. McGIBBON,
W. J. PERRIN,
F. DICKY,
J. G. CRADDOCK,
W. C. P. BRECKINRIDGE.

On motion of Mr. McKee,

Ordered, That said memorial be printed.

Mr. Cogar, from a select committee, to whom was recommitted a bill, entitled

A bill to establish the county of Hanson out of parts of the counties of Meade and Breckinridge,

Reported the same without amendment.

The question was again taken on the passage of said bill, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. T. H. Hays and Hambleton, were as follows, viz:

Those who voted in the affirmative, were—

Silas Adams,	James P. Ford,	W. H. Pettus,
P. W. Barron,	W. W. Frazer,	William S. Richart,
Howell Brewer,	J. L. Hibbs,	George W. Riddle,
James E. Cantrill,	Elijah Hogan,	Robert Simmons,
J. S. Chrisman,	Jeff. Holeman,	Richard M. Spalding,
A. T. Coffman,	Elijah Hurst,	Geo. W. Terrell,
Thomas T. Cogar,	Alfred M. Jones,	W. J. Webb,
Joseph M. Davidson,	John W. Kendall,	A. D. Weller,
D. E. Downing,	Thomas E. Moss,	S. M. Wrather,
M. W. Ferguson,	Thomas H. Moss,	Hugh H. York—30.

Those who voted in the negative, were—

Mr. SPEAKER (Bunch),	L. D. Good,	Joshua B. Parks,
George W. Anderson,	D. Hambleton,	E. A. Pearson,
Ervin Anderson,	Ashton P. Harcourt,	Elijah C. Phister,
J. M. Atherton,	J. B. Hays,	Alfred T. Pope,
William F. Barret,	T. H. Hays,	W. V. Prather,
Alpheus W. Bascom,	A. J. Hendrickson,	Douglass L. Price,
Robert C. Beauchamp,	James R. Hindman,	G. W. Quick,
D. M. Bowen,	R. E. Humphrey,	George W. Silvertooth,
Samuel W. Brents,	William Irwin, sr.,	R. K. Smith,
William B. Caldwell,	George M. Jessee,	P. M. Thurmond,
R. L. Cooper,	James Kilgore,	J. L. Waring,
F. R. Davis,	Francis M. Lowe,	John F. Wight,
Asbury Dawson,	William J. McElroy,	L. Wilson,
John Duvall,	George R. McKee,	John Wolf—44.
Robert T. Glass,	James A. McKenzie,	

And so said bill was rejected.

[*For Bill—see House Journal* 1869–70, *page* 450.]

Mr. Phister, from the Committee on the Judiciary, to whom was recommitted a bill, entitled

A bill to increase the jurisdiction of quarterly courts and justices of the peace,

Reported the same without amendment, and with the expression of opinion that said bill ought not to pass.

Ordered, That said bill be printed, and placed in the orders of the day.

A message was received from the Senate, announcing that they had passed a bill, entitled

An act to change the time of holding the March term of the quarterly court of the county of Trimble.

Which was read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be referred to the Committee on County Courts.

Mr. Glass moved the following preamble and resolution, viz:

WHEREAS, The Governor, in his message to the present adjourned session of the General Assembly, makes special reference to the flagrant disregard of law, and to the frequent commission of acts of violence in this Commonwealth, and appeals to the Legislature to provide additional remedies and safeguards for the protection of the citizen, and the preservation of peace and order; therefore,

Be it resolved, That a committee of five be appointed by the Speaker, whose duty it shall be to take into consideration the suggestions of the Governor on that subject, with instructions to report to this body on the 25th day of January, 1871, by bill or otherwise.

Which were adopted.

And thereupon the Speaker appointed on said committee Messrs. Glass, McKee, Hindman, Cantrill, and Adams.

Leave was given to bring in the following bills, viz:

On motion of Mr. Coffman—

1. A bill allowing the justices of the peace of Ohio county to increase their salaries while attending court of claims.

On motion of Mr. Duvall—

2. A bill to incorporate the Monterey Bridge Company, in Owen county.

On motion of Mr. Lowe—

3. A bill to provide for a geological and mineralogical survey of the State.

On motion of Mr. Adams—

4. A bill to prevent seining for fish in Green river, in Casey county.

On motion of Mr. Riddle—

5. A bill for the benefit of the citizens of Caseyville, in Union county.

On motion of Mr. Holeman—

6. A bill to incorporate the town of Sebree, in Webster county.

On motion of Mr. Little—

7. A bill to so amend the common school law as to require the citizens of each school district to erect a comfortable school-house in their respective districts, where such have not already been erected.

On motion of same—

8. A bill for the benefit of Green A. Denham, of Whitley county.

On motion of Mr. Ford—

9. A bill in relation to the tax of Woodford county, subscribed by the county court to the Kentucky River Navigation Company.

On motion of Mr. T. E. Moss—

10. A bill for the benefit of Thomas D. Grundy, of McCracken county.

On motion of Mr. Chrisman—

11. A bill to charter the Wayne County Agricultural and Mechanical Association.

On motion of Mr. Carter—

12. A bill in reference to the pay of members of the Legislature.

On motion of Mr. Bascom—

13. A bill authorizing the qualified voters of the county of Lee to locate the county seat of said county by vote.

On motion of Mr. Hambleton—

14. A bill to provide for the erection of a public school building in the town of Cloverport.

On motion of Mr. Brents—

15. A bill to make doctors preferred creditors in certain cases.

On motion of Mr. Glass—

16. A bill to fix the salaries of the judges of this Commonwealth.

On motion of Mr. Simmons—

17. A bill to provide for the prompt payment of such extraordinary appropriations heretofore made as yet remain unpaid, and for such extraordinary appropriations as may be made by this Legislature.

On motion of same—

18. A bill to provide for the revision and codification of the revenue laws of the State, with a view to equalize assessments, increase the revenue, and provide for its prompt collection.

On motion of same—

19. A bill to facilitate the collection of the revenue of the State.

On motion of Mr. Pope—

20. A bill to incorporate a "Subordinate Union" of the International Union of Machinists and Blacksmiths of North America.

On motion of Mr. Speaker (Bunch)—

21. A bill to amend the charter of the Kentucky Club.

On motion of same—

22. A bill to amend the charter of the Louisville Club.

On motion of Mr. Downing—

23. A bill to legalize a subscription proposed to the stock of the Cumberland and Ohio Railroad Company by the Newcastle district, in Henry county.

Ordered, That the Committee on County Courts prepare and bring in the 1st; the Committee on Propositions and Grievances the 4th; the Committee on Corporate Institutions the 5th, 6th, and 20th; the Committee on Education the 7th and 14th; the Committee on the Judiciary the 8th and 9th; the Committee on Agriculture and Manufactures the 11th; the Committee on Revised Statutes the 12th, 15th, 16th, 21st, and 22d; the Committee on Ways and Means the 17th, 18th, and 19th; a select committee, consisting of Messrs. Silvertooth, Barret, and Duvall, the 2d; a select committee, consisting of Messrs. Bright, Phister, McKenzie, Pope, Davidson, and Glass, the 3d; a select committee, consisting of Messrs. Griffith, Pope, and T. E. Moss, the 10th; and a select committee, consisting of Messrr. McCreary, Cogar, and Webb, the 13th.

And then the House adjourned.

MONDAY, JANUARY 16, 1871.

The following petitions were presented, viz:

By Mr. McCreary—

1. The petition of citizens of Lee county, praying the passage of an act allowing the people of that county to locate its county seat by a vote of the people thereof.

By Mr. Richart—

2. The petition of citizens of Montgomery county, praying for the passage of an act to prevent the sale of intoxicating liquors at Aaron's Run, or within two miles of that place.

By Mr. McKee—

3. The petition of members of the bar of Laurel county, praying that the present presiding judge of said county may be permitted to keep the records of his office at his residence.

By Mr. Brewer—

4. The petition of citizens of Booneville, Owsley county, praying for the passage of an act therein named, in regard to stock within the limits of said town.

By same—

5. The petition of citizens of Owsley county, praying the passage of an act to declare Buffalo creek a navigable stream, and asking an appropriation to clear out the obstructions therein.

By Mr. Atherton—

6. The petition of citizens of Nelson and Larue counties, praying the repeal of an act declaring Rolling Fork a navigable stream.

Which were received, the reading dispensed with, and referred—the 1st to a select committee, consisting of Messrs. McCreary, Webb, and Cogar; the 2d to the Committee on Religion; the 3d to the Committee on County Courts; the 4th to the Committee on Propositions and Grievances; and the 5th and 6th to the Committee on Internal Improvement.

Mr. Phister, from the Committee on the Judiciary, to whom was recommitted a bill, entitled

A bill to increase the salaries of the judges of the circuit courts, criminal courts, courts of common pleas, and of the chancellor of the Louisville chancery court,

Reported the same without amendment.

Ordered, That said bill be printed, and made the special order of the day for Tuesday, the 24th inst., at 10½ o'clock, A. M.

The House took up the amendment proposed by the Senate to a bill, which originated in the House of Representatives, entitled

An act for the benefit of Elizabeth Quincy, and the children of John Quincy, deceased.

Said amendment was concurred in.

Mr. Quick, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the Senate, of the following titles, viz:

An act to repeal an act, entitled "An act to prohibit the sale or vending, or giving of vinous, spirituous, or malt liquors in the town of Irvine, or within two miles of the limits thereof," approved March 12th, 1869;

An act to amend an act, entitled "An act to establish a levy and county court for Jefferson county;"

An act to authorize the St. Louis Bertrand Society, of the city of Louisville, to issue mortgage bonds;

And had found the same truly enrolled.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Quick inform the Senate thereof.

Mr. Phister, from the Committee on the Judiciary, to whom was recommitted a bill, entitled

A bill to incorporate the Elkton Fair Ground Association,

Reported the same without amendment.

Ordered, That said bill be recommitted to the Committee on Internal Improvement.

A message was received from the Senate, announcing that they had passed bills, which originated in the House of Representatives, of the following titles, viz:

An act for the benefit of Greenup county.

An act to incorporate the Big Blain Improvement Company.

And that they had passed bills of the following titles, viz:

1. An act to authorize the county court of Knox county to issue bonds to raise money to erect a court-house and other public buildings in said county.

2. An act to amend the charter of the Flemingsburg and Upper Blue Lick Turnpike Road Company.

Which were read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That they be referred—the 1st to the Committee on County Courts, and the 2d to the Committee on Corporate Institutions.

Mr. Cogar, from the Committee on Internal Improvement, to whom was referred a bill from the Senate, entitled

An act for the benefit of certain turnpike roads,

Reported the same without amendment.

Ordered, That said bill be printed and placed in the orders of the day.

Mr. Thurmond, from the Committee on County Courts, to whom was referred a bill from the Senate, entitled

An act to change the time of holding the March term of the quarterly court of the county of Trimble,

Reported the same without amendment.

Ordered, That said bill be read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Phister, from the Committee on the Judiciary, to whom were recommitted the following bills, viz:

A bill to amend the charter of the Owingsville and Wyoming Turnpike Road Company;

A bill to charter the town of Adairville, in Logan county;

A bill to amend the charter of the Union Mills Turnpike Road Company;

Reported the same without amendment.

Ordered, That said bills be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Pettus, from the Committee on Internal Improvement, to whom was recommitted a bill, entitled

A bill to incorporate the Elkton Fair Ground Association,

Reported the same with amendments thereto.

Said amendments were adopted.

Ordered, That said bill, as amended, be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. McCreary, from a select committee, who were directed to prepare and bring in the same, reported

A bill authorizing the legal voters of the county of Lee to locate the county seat of said county by vote.

Which was read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Mr. Combs then moved to lay the same on the table.

And the question being taken on the motion of Mr. Combs, it was decided in the negative.

Ordered, That said bill be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Glass, from the Committee on Railroads, to whom were referred a bill from the Senate, entitled

An act amending the charter of the Covington and Lexington Railroad Company,

Reported the same without amendment, and with the expression of opinion that said bill ought not to pass.

And the question being taken, "Shall the bill be read a third time?" it was decided in the negative.

And so said bill was disagreed to.

On motion, leave of absence, indefinitely, was granted to Messrs. Terrell and Myall.

Bills were reported by the several committees who were directed to prepare and bring in the same, of the following titles, viz:

By Mr. Thurmond, from the Committee on Propositions and Grievances—

A bill to amend an act, entitled "An act to establish the town of Beatty, in the county of Owsley."

By Mr. Phister, from the Committee on the Judiciary—

A bill to amend an act, entitled "An act to incorporate the Dividing Ridge Turnpike Road Company, in Mason county," approved March 9, 1868.

By same—

A bill for the benefit of W. L. Fitch, of Lewis county.

By Mr. Simmons, from the Committee on Ways and Means—

A bill to re-enact an act, entitled "An act to fix the fees of sheriffs," approved February 4, 1865.

By same—

A bill for the benefit of school district No. 41, in Knox county.

By Mr. Frazer, from the same committee—

A bill to authorize the county court of Todd county to levy a tax to discharge the indebtedness of said county.

By Mr. Weller, from the Committee on Internal Improvement—

A bill for the benefit of the Paris and Clintonville Turnpike Road Company.

By Mr. Cogar, from the same committee—

A bill to amend the charter of the Eminence and Ballardsville Turnpike Road Company.

By Mr. McKenzie, from the Committee on Railroads—

A bill to amend an act, entitled "An act to incorporate the Richmond and Lexington Railroad Company," approved March 2, 1867.

Which were read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

A message was received from the Governor by Mr. Samuels, Assistant Secretary of State, announcing that he had approved and

signed enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act for the benefit of the owners of Clay's Ferry, on the Kentucky river.

An act to amend the charter of the town of Taylorsville.

An act to amend the charter of the Galt House Company.

An act for the benefit of James W. Lumsden, of Hickman county.

Leave was given to bring in the following bills, viz:

On motion of Mr. Bowen—

1. A bill to survey and establish the line between the counties of Franklin and Owen.

On motion of Mr. Richart—

2. A bill prohibiting the vending, giving, or loaning intoxicating liquors in the village of Aaron's Run, Montgomery county, or within two miles thereof.

On motion of Mr. Webb—

3. A bill for the benefit of the Estill Seminary.

On motion of Mr. Davidson—

4. A bill for the benefit of Samuel R. Maar, Jasper Hatfield, and Thos. Ford, jr., of Floyd county.

On motion of Mr. Glass—

5. A bill to amend an act, entitled "An act to incorporate the Henderson German School Association," approved February 5, 1869.

On motion of same—

6. A bill to incorporate the Henderson Point Fence Company.

On motion of Mr. Pope—

7. A bill to incorporate the Walnut Street Market-house Company.

On motion of Mr. Hibbs—

8. A bill to amend the charter of the town of Briensburg, in Marshall county.

On motion of same—

9. A bill for the benefit of H. M. Wade, late sheriff of Marshall county.

On motion of Mr. T. E. Moss—

10. A bill to amend an act, entitled "An act to regulate the sale and storage of illuminating oils, &c.," approved March 21, 1870.

On motion of Mr. Jones—

11. A bill for the benefit of the town of Centre, in Metcalfe county.

On motion of Mr. Prather—

12. A bill for the benefit of school districts Nos. 2, 6, and 7, in Robertson county.

On motion of same—

13. A bill for the benefit of school district No. 11, in Nicholas county.

On motion of same—

14. A bill for the benefit of Nicholas county.

On motion of same—

15. A bill for the benefit of John P. Norvell, of Nicholas county.

On motion of Mr. Lowe—

16. A bill to appropriate to the county of Pendleton a certain tract of land in said county belonging to this Commonwealth, to the use of said county for internal improvement purposes.

On motion of Mr. Little—

17. A bill to extend the provisions of the act of March 9, 1867, entitled "An act to cede to the United States the jurisdiction over the national cemeteries in this State, to exempt from taxation, and to protect the same," to the National Soldiers' Cemeteries at Louisville, Lexington, Danville, and Frankfort.

On motion of Mr. Cogar—

18. A bill to incorporate the Kentucky River Improvement Company.

Ordered, That the Committee on Religion prepare and bring in the 2d; the Committee on Education the 3d, 12th, and 13th; the Committee on Claims the 4th; the Committee on Corporate Institutions the the 5th, 6th, 7th, and 11th; the Committee on Propositions and Grievances the 8th, 9th, 10th, and 14th; the Committee on the Judiciary the 15th; the Committee on Internal Improvement the 16th and 18th; the Committee on Military Affairs the 17th; and a select committee, consisting of Messrs. Bowen, McKee, and Duvall, the 1st.

And then the House adjourned.

TUESDAY, JANUARY 17, 1871.

Mr. Quick, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act for the benefit of Greenup county;

An act to incorporate the Big Blain Improvement Company;

And had found the same truly enrolled.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Quick inform the Senate thereof.

Mr. McKee presented the petition of sundry citizens of this Commonwealth, praying the passage of an act to grant the right of way to the Cincinnati Southern Railway.

Which was read.

Mr. Parks presented the petition of sundry citizens of Jefferson county, praying for the passage of a law to compensate jurors in magistrates' courts for their services as such.

Which was received, the reading dispensed with, and referred to the Committee on County Courts.

On motion of Mr. Wight, leave was given to bring in a bill to amend the charter of the Simpsonville and Buck Creek Turnpike Road Company.

Ordered, That the Committee on Propositions and Grievances prepare and bring in the same.

Mr. Phister, from the Committee on the Judiciary, to whom was recommitted a bill, entitled

A bill to amend an act, entitled "An act to incorporate the Elizabethtown, Lexington, and Big Sandy Railroad Company,"

Reported the same, with a substitute therefor by way of amendment.

The question was then taken on the adoption of said amendment, and it was decided in the affirmative.

Ordered, That said bill, as amended, be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Phister, from the Committee on the Judiciary, to whom was recommitted a bill, entitled

An act for the protection of livery-stable keepers of this Commonwealth,

Reported the original bill without amendment, and with the expression of opinion that said bill ought to pass.

Mr. McCreary then moved to reconsider the votes by which said bill was ordered to be read a third time and by which the reading thereof was dispensed with.

And the question being taken on the motion of Mr. McCreary, it was decided in the affirmative.

Mr. Richart moved an amendment thereto, which was adopted.

Mr. McCreary also moved an amendment, which was rejected.

The question was then taken on ordering said bill to be read a third time, and it was decided in the negative.

And so said bill was disagreed to.

Mr. Phister then moved to reconsider the vote by which the House refused to order said bill to be read a third time.

And the question being taken thereon, it was decided in the affirmative.

And so said vote was reconsidered.

Ordered, That said bill be recommitted to the Committee on the Judiciary.

Mr. Pope, from the Committee on the Judiciary, to whom was recommitted a bill, entitled

A bill to amend the charter of the Louisville Furniture Manufacturing Company,

Reported the same without amendment.

Ordered, That said bill be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Bills were reported by the several committees, who were directed to prepare and bring in the same, of the following titles, viz:

By Mr. Harcourt, from a select committee—

A bill to amend the city charter of Covington.

By Mr. Wight, from the Committee on Propositions and Grievances—

A bill to amend the charter of the Simpsonville and Buck Creek Turnpike Road Company.

By Mr. Hibbs, from the same committee—

A bill for the benefit of H. M. Wade, late sheriff of Marshall county.

By Mr. Atherton, from the Committee on Privileges and Elections—

A bill for the benefit of Joel W. Sallee.

By Mr. Phister, from the Committee on the Judiciary—

A bill to perfect incomplete records of the courts of this Commonwealth.

By Mr. Riddle, from the Committee on Agriculture and Manufactures—

A bill to incorporate the Wayne County Agricultural and Mechanical Society.

By Mr. DeMoss, from the Committee on Ways and Means—

A bill for the benefit of Wm. J. Mayo and Tolbert Akers, sureties for Alexander W. Cecil, late sheriff of Floyd county.

Which were read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

A message was received from the Senate, announcing that they had passed bills, which originated in the House of Representatives, of the following titles, viz:

An act to incorporate the Owensboro Savings Bank.

An act in relation to stationery furnished members of the General Assembly.

An act to amend the charter of the town of Sharpsburg, in Bath county.

An act to close and discontinue Cedar street, in the town of Monterey, in Owen county.

An act for the benefit of the Gas Company of Paris.

An act to amend the charter of the town of Clayville, in Webster county.

An act to amend the charter of the town of Dixon, in Webster county.

An act to authorize the St. Louis and Iron Mountain Railroad Company to extend their railroad through the city of Columbus.

An act to amend the city charter of Covington.

And that they had passed a bill, entitled

An act relating to school district No. 14, in Simpson county.

Which was read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That the same be referred to the Committee on Education.

On motion of Mr. Simmons, the Committee on Ways and Means were discharged from the further consideration of a bill from the Senate, entitled

An act for the benefit of Gilman Trafton,

And the same is recommitted to the Committee on Claims.

The House then, according to order, resumed the further consideration of a bill, entitled

A bill to amend section 1 of chapter 3 of the Revised Statutes, and the several amendments offered thereto.

Pending discussion thereon, on motion, the House adjourned.

WEDNESDAY, JANUARY 18, 1871.

Mr. Quick, from the Committee on Enrollments, reported that the committee had examined an enrolled bill, which originated in the Senate, entitled

An act to change the time of holding the March term of the quarterly court of the county of Trimble;

And also enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act for the benefit of Elizabeth Quincy, and the children of John Quincy, deceased;

An act to incorporate the Owensboro Savings Bank;

An act in relation to stationery furnished members of the General Assembly;

An act to amend the charter of the town of Sharpsburg, in Bath county;

An act to close and discontinue Cedar street, in the town of Monterey, in Owen county;

An act for the benefit of the Gas Company of Paris;

An act to amend the charter of the town of Clayville, in Webster county;

An act to amend the charter of the town of Dixon, in Webster county;

An act to authorize the St. Louis and Iron Mountain Railroad Company to extend their railroad through the city of Columbus;

An act to amend the city charter of Covington;

And had found the same truly enrolled.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Quick inform the Senate thereof.

A message was received from the Senate, announcing that they had passed bills, which originated in the House of Representatives, of the following titles, viz:

An act to amend the charter of Middletown.

An act to incorporate the German Bundes Lodge, No. 141, D. O. H., in the city of Louisville.

An act to amend the 11th section of the 13th chapter of the Revised Statutes, title "Change of Venue."

An act to abolish the court of common pleas in Webster county.

An act for the benefit of T. M. Conditt, late sheriff of McLean county.

An act for the benefit of the citizens of Uniontown.

An act for the benefit of the citizens of Morganfield.

An act for the benefit of the sheriff of Caldwell county.

An act for the benefit of the sheriff of Lyon county.

And that they had passed bills of the following titles, viz:

1. An act concerning the Court of Appeals.

2. An act legalizing certain proceedings of the Owen county court.

3. An act legalizing the sale of the old jail lot in the town of Owenton.

Which were read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That they be referred—the 1st to the Committee on Court of Appeals, and the 2d and 3d to the Committee on County Courts.

A message was received from the Governor by Mr. Samuels, Assistant Secretary of State, announcing that he had approved and signed enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to incorporate the Big Blain Improvement Company.

An act for the benefit of Greenup county.

On motion of Mr. Richart, leave was given to bring in a bill defining the duties of sheriffs and all other officers authorized to serve supœnas in this Commonwealth.

Ordered, That the Committee on County Courts prepare and bring in the same.

Mr. Harcourt presented the petition of citizens of Jefferson and Spencer counties, praying for certain amendments to the Louisville and Taylorsville Turnpike Road Company.

Which was received, the reading dispensed with, and referred to the Committee on Propositions and Grievances,

Mr. McKee presented the petition of the incorporators of the Louisville and Chattanooga Grand Trunk Railroad, praying for the passage of the act to give the right of way to the Cincinnati Southern Railway.

Which was read.

Petitions in favor of the grant of the right of way for the Cincinnati and Southern Railway were also presented by Messrs. Chrisman, McKee, Ford, Hogan, Wolf, and McAfee.

The House took up the amendment proposed by the Senate to a bill, which originated in the House of Representatives, of the following title, viz:

An act to change the county line of Whitley county.

Said amendment was concurred in.

Bills were reported by the several committees, who were directed to prepare and bring in the same, of the following titles, viz:

By Mr. Corbett, from the Committee on Propositions and Grievances—

A bill to repeal an act, entitled "An act to prohibit the sale of spirituous, vinous, or malt liquors in the town of Calhoon, or within two miles thereof," approved March 21, 1870.

By same—

A bill for the benefit of Hermon V. Cothes, of Ballard county.

By same—

A bill for the benefit of Philip Cassity, present sheriff of Martin county.

By same—

A bill for the benefit of Thomas D. Grundy, of McCracken county.

Which were read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

The hour of 10½ o'clock, A. M., having arrived, on motion of Mr. Atherton, the special order fixed for this hour was postponed till 12 o'clock, M.

The House then took up for further consideration a bill, entitled

A bill to amend section 1 of chapter 53 of the Revised Statutes, with the amendments offered thereto.

Mr. Dille then moved the previous question.

And the question being stated, "Shall the main question be now put?" it was decided in the negative.

The yeas and nays being required thereon by Messrs. McKenzie and Claybrook, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Bunch),	James P. Ford,	William J. McElroy,
Wm. F. Barret,	W. W. Frazer,	George R. McKee,
Alpheus W. Bascom,	John N. Furber,	Thomas E. Moss,
Samuel W. Brents,	Samuel G. Geisler,	Edward Myall,
Howell Brewer,	T. H. Hays,	Joshua B. Parks,
James E. Cantrill,	A. J. Hendrickson,	E. A. Pearson,
Landon Carter,	J. L. Hibbs,	Douglass L. Price,
Thomas T. Cogar,	Jeff. Holeman,	G. W. Quick,
I. B. Combs,	Elijah Hurst,	Wm. S. Richart,
Asbury Dawson,	Wm. Irwin, sr.,	R. K. Smith,
J. C. DeMoss,	James Kilgore,	George W. Terrell,
N. C. Dille,	Francis M. Lowe,	L. Wilson,
H. G. Duerson,	G. W. Little,	John Wolf—39.

Those who voted in the negative, were—

William Adair,	F. R. Davis,	James B. McCreary,
Silas Adams,	George R. Diamond,	James A. McKenzie,
George W. Anderson,	D. E. Downing,	Mason Morris,
Ervin Anderson,	John Duvall,	Thomas H. Moss,
J. M. Atherton,	Robert T. Glass,	Elijah C. Phister,
P. W. Barron,	L. D. Good,	Alfred T. Pope,
Robert C. Beauchamp,	Clinton Griffith,	W. V. Prather,
John W. Blue,	D. Hambleton,	George W. Riddle,
D. M. Bowen,	Ashton P. Harcourt,	G. W. Silvertooth,
E. Burr,	J. B. Hays,	Robert Simmons,
Wm. B. Caldwell,	James R. Hindman,	R. M. Spalding,
J. S. Chrisman,	Elijah Hogan,	P. M. Thurmond,
James R. Claybrook,	R. E. Humphrey,	A. D. Weller,
A. T. Coffman,	George M. Jessee,	John F. Wight,
R. L. Cooper,	Alfred M. Jones,	S. M. Wrather,
Thomas H. Corbett,	J. J. McAfee,	Hugh H. York—49.
Joseph M. Davidson,		

Mr. E. Anderson then moved to postpone the further consideration of said bill and amendments until the 4th day of March next.

And the question being taken on the motion of Mr. Anderson, it was decided in the negative.

The yeas and nays being required thereon by Messrs. McKenzie and Chrisman, were as follows, viz:

Those who voted in the affirmative, were—

William Adair,	Asbury Dawson,	George R. McKee,
Ervin Anderson,	D. E. Downing,	James A. McKenzie,
P. W. Barron,	John Duvall,	Mason Morris,

D. M. Bowen,	L. D. Good,	Thomas H. Moss,
Howell Brewer,	Ashton P. Harcourt,	Elijah C. Phister,
James E. Cantrill,	A. J. Hendrickson,	William S. Richart,
Landon Carter,	Elijah Hogan,	R. K. Smith,
J. S. Chrisman,	Jeff. Holeman,	Richard M. Spalding,
James R. Claybrook,	Elijah Hurst,	A. D. Weller,
A. T. Coffman,	George M. Jessee,	John Wolf,
Thomas H. Corbett,	James B. McCreary,	S. M. Wrather,
Joseph M. Davidson,	William J. McElroy,	Hugh H. York—37.
F. R. Davis,		

Those who voted in the negative, were—

Mr. SPEAKER (Bunch),	H. G. Duerson,	G. W. Little,
Silas Adams,	M. W. Ferguson,	J. J. McAfee,
Geo. W. Anderson,	James P. Ford,	Thomas E. Moss,
J. M. Atherton,	W. W. Frazer,	Edward Myall,
Wm. F. Barret,	John N. Furber,	Joshua B. Parks,
Alpheus W. Bascom,	Samuel G. Geisler,	E. A. Pearson,
J. F. Baugh,	Robert T. Glass,	Alfred T. Pope,
Robert C. Beauchamp,	Clinton Griffith,	W. V. Prather,
John W. Blue,	D. Hambleton,	Douglass L. Price,
Samuel W. Brents,	J. B. Hays,	G. W. Quick,
E. Burr,	T. H. Hays,	George W. Riddle,
William B. Caldwell,	J. L. Hibbs,	George W. Silvertooth,
Thomas T. Cogar,	James R. Hindman,	Robert Simmons,
I. B. Combs,	R. E. Humphrey,	George W. Terrell,
R. L. Cooper,	William Irwin, sr.	P. M. Thurmond,
J. C. DeMoss,	Alfred M. Jones,	J. L. Waring,
George R. Diamond,	James Kilgore,	John F. Wight,
N. C. Dille,	Francis M. Lowe,	L. Wilson—54.

The question was then taken on the adoption of the amendment offered by Mr. Cooper in Committee of the Whole.

Which amendment is as follows, viz :

Add as 4th section : "That after the decease of the payer of any note or contract bearing ten per cent. interest, said note or contract shall bear only six per cent. per annum, and all debts secured to be paid under this act, when merged in a judgment, shall only bear six per cent. from date of judgment."

And it was decided in the negative.

Mr. Chrisman then offered the following amendment to the substitute offered by Mr. Blue in Committee of the Whole, viz :

Provided, however, That before this act shall go into effect, it shall be the duty of the several officers holding and conducting the next general election in August, in this State, to open, or cause to be opened by the clerk, two columns on the poll-books thereof, one to be headed "For conventional rate of interest," the other "Against conventional rate of interest," and to cause all the voters offering to vote to be informed of the passage of this act, and to cause their votes to be

And the question being stated, "Shall the main question be now put?" it was decided in the negative.

The yeas and nays being required thereon by Messrs. McKenzie and Claybrook, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Bunch),	James P. Ford,	William J. McElroy,
Wm. F. Barret,	W. W. Frazer,	George R. McKee,
Alpheus W. Bascom,	John N. Furber,	Thomas E. Moss,
Samuel W. Brents,	Samuel G. Geisler,	Edward Myall,
Howell Brewer,	T. H. Hays,	Joshua B. Parks,
James E. Cantrill,	A. J. Hendrickson,	E. A. Pearson,
Landon Carter,	J. L. Hibbs,	Douglass L. Price,
Thomas T. Cogar,	Jeff. Holeman,	G. W. Quick,
I. B. Combs,	Elijah Hurst,	Wm. S. Richart,
Asbury Dawson,	Wm. Irwin, sr.,	R. K. Smith,
J. C. DeMoss,	James Kilgore,	George W. Terrell,
N. C. Dille,	Francis M. Lowe,	L. Wilson,
H. G. Duerson,	G. W. Little,	John Wolf—39.

Those who voted in the negative, were—

William Adair,	F. R. Davis,	James B. McCreary,
Silas Adams,	George R. Diamond,	James A. McKenzie,
George W. Anderson,	D. E. Downing,	Mason Morris,
Ervin Anderson,	John Duvall,	Thomas H. Moss,
J. M. Atherton,	Robert T. Glass,	Elijah C. Phister,
P. W. Barron,	L. D. Good,	Alfred T. Pope,
Robert C. Beauchamp,	Clinton Griffith,	W. V. Prather,
John W. Blue,	D. Hambleton,	George W. Riddle,
D. M. Bowen,	Ashton P. Harcourt,	G. W. Silvertooth,
E. Burr,	J. B. Hays,	Robert Simmons,
Wm. B. Caldwell,	James R. Hindman,	R. M. Spalding,
J. S. Chrisman,	Elijah Hogan,	P. M. Thurmond,
James R. Claybrook,	R. E. Humphrey,	A. D. Weller,
A. T. Coffman,	George M. Jessee,	John F. Wight,
R. L. Cooper,	Alfred M. Jones,	S. M. Wrather,
Thomas H. Corbett,	J. J. McAfee,	Hugh H. York—49.
Joseph M. Davidson,		

Mr. E. Anderson then moved to postpone the further consideration of said bill and amendments until the 4th day of March next.

And the question being taken on the motion of Mr. Anderson, it was decided in the negative.

The yeas and nays being required thereon by Messrs. McKenzie and Chrisman, were as follows, viz:

Those who voted in the affirmative, were—

William Adair,	Asbury Dawson,	George R. McKee,
Ervin Anderson,	D. E. Downing,	James A. McKenzie,
P. W. Barron,	John Duvall,	Mason Morris,

D. M. Bowen,	L. D. Good,	Thomas H. Moss,
Howell Brewer,	Ashton P. Harcourt,	Elijah C. Phister,
James E. Cantrill,	A. J. Hendrickson,	William S. Richart,
Landon Carter,	Elijah Hogan,	R. K. Smith,
J. S. Chrisman,	Jeff. Holeman,	Richard M. Spalding,
James R. Claybrook,	Elijah Hurst,	A. D. Weller,
A. T. Coffman,	George M. Jessee,	John Wolf,
Thomas H. Corbett,	James B. McCreary,	S. M. Wrather,
Joseph M. Davidson,	William J. McElroy,	Hugh H. York—37.
F. R. Davis,		

Those who voted in the negative, were—

Mr. SPEAKER (Bunch),	H. G. Duerson,	G. W. Little,
Silas Adams,	M. W. Ferguson,	J. J. McAfee,
Geo. W. Anderson,	James P. Ford,	Thomas E. Moss,
J. M. Atherton,	W. W. Frazer,	Edward Myall,
Wm. F. Barret,	John N. Furber,	Joshua B. Parks,
Alpheus W. Bascom,	Samuel G. Geisler,	E. A. Pearson,
J. F. Baugh,	Robert T. Glass,	Alfred T. Pope,
Robert C. Beauchamp,	Clinton Griffith,	W. V. Prather,
John W. Blue,	D. Hambleton,	Douglass L. Price,
Samuel W. Brents,	J. B. Hays,	G. W. Quick,
E. Burr,	T. H. Hays,	George W. Riddle,
William B. Caldwell,	J. L. Hibbs,	George W. Silvertooth,
Thomas T. Cogar,	James R. Hindman,	Robert Simmons,
I. B. Combs,	R. E. Humphrey,	George W. Terrell,
R. L. Cooper,	William Irwin, sr.	P. M. Thurmond,
J. C. DeMoss,	Alfred M. Jones,	J. L. Waring,
George R. Diamond,	James Kilgore,	John F. Wight,
N. C. Dille,	Francis M. Lowe,	L. Wilson—54.

The question was then taken on the adoption of the amendment offered by Mr. Cooper in Committee of the Whole.

Which amendment is as follows, viz :

Add as 4th section : "That after the decease of the payer of any note or contract bearing ten per cent. interest, said note or contract shall bear only six per cent. per annum, and all debts secured to be paid under this act, when merged in a judgment, shall only bear six per cent. from date of judgment."

And it was decided in the negative.

Mr. Chrisman then offered the following amendment to the substitute offered by Mr. Blue in Committee of the Whole, viz :

Provided, however, That before this act shall go into effect, it shall be the duty of the several officers holding and conducting the next general election in August, in this State, to open, or cause to be opened by the clerk, two columns on the poll-books thereof, one to be headed "For conventional rate of interest," the other "Against conventional rate of interest," and to cause all the voters offering to vote to be informed of the passage of this act, and to cause their votes to be

recorded in one or the other columns above named, as such voter may direct; it shall also be the duty of such officers to certify the result of such vote on the poll-books, as is required in other elections; it shall also be the duty of the county examiners to examine the returns on said poll-books of said vote, and at the same time they make other returns of elections under the general law they shall also return to the Secretary of State a certificate of the result of said vote in their said county. On the first Monday in September succeeding said general election, it shall be the duty of the Secretary to count, and cause to be published in six newspapers published in this State, the vote so cast, and as cast; and if it shall be found by him that a majority of all the votes returned to him, by the time before mentioned, are cast in favor of conventional rate of interest, then he shall publish and declare that this act has been ratified by a majority of the voters of Kentucky, and that the same goes into effect, and will be a part of the laws of the State, on the 1st day of January, A. D. 1872.

Mr. Adams then moved to lay the bill and amendments on the table.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Corbett and Adams, were as follows, viz:

Those who voted in the affirmative, were—

Silas Adams,	F. R. Davis,	Mason Morris,
Ervin Anderson,	Asbury Dawson,	Thomas H. Moss,
P. W. Barron,	D. E. Downing,	Elijah C. Phister,
D. M. Bowen,	L. D. Good,	William S. Richart,
Howell Brewer,	A. J. Hendrickson,	R. K. Smith,
Landon Carter,	James R. Hindman,	Richard M. Spalding,
J. S. Chrisman,	Elijah Hogan,	P. M. Thurmond,
James R. Claybrook,	Elijah Hurst,	A. D. Weller,
A. T. Coffman,	John W. Kendall,	John Wolf
R. L. Cooper,	William J. McElroy,	Hugh H. York—31.
Joseph M. Davidson,		

Those who voted in the negative, were—

Mr. SPEAKER (Bunch),	M. W. Ferguson,	James B. McCreary,
William Adair,	James P. Ford,	George R. McKee,
George W. Anderson,	W. W. Frazer,	James A. McKenzie,
J. M. Atherton,	John N. Furber,	Thomas E. Moss,
William F. Barret,	Samuel G. Geisler,	Edward Myall,
Alpheus W. Bascom,	Clinton Griffith,	Joshua B. Parks,
Robert C. Beauchamp,	D. Hambleton,	E. A. Pearson,
John W. Blue,	J. B. Hays,	Alfred T. Pope,
Samuel W. Brents,	T. H. Hays,	W. V. Prather,
E. Burr,	J. L. Hibbs,	Douglass L. Price,
William B. Caldwell,	Jeff. Holeman,	G. W. Quick,
James E. Cantrill,	R. E. Humphrey,	George W. Silvertooth,
Thomas T. Cogar,	William Irwin, sr.,	Robert Simmons,

I. B. Combs,	George M. Jessee,	Geo. W. Terrell,
Thomas H. Corbett,	Alfred M. Jones,	J. L. Waring,
George R. Diamond,	James Kilgore,	John F. Wight,
N. C. Dille,	Francis M. Lowe,	L. Wilson,
H. G. Duerson,	J. J. McAfee,	S. M. Wrather—56.
John Duvall,		

The question was then taken on the adoption of the amendment to the substitute of Mr. Blue, offered by Mr. Chrisman, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Chrisman and McKenzie, were as follows, viz:

Those who voted in the affirmative, were—

William Adair,	D. E. Downing,	James B. McCreary,
Silas Adams,	John Duvall,	Wm. J. McElroy,
Ervin Anderson,	L. D. Good,	James A. McKenzie,
P. W. Barron,	Clinton Griffith,	Mason Morris,
Alpheus W. Bascom,	D. Hambleton,	Thomas H. Moss,
D. M. Bowen,	A. J. Hendrickson,	W. V. Prather,
Howell Brewer,	J. L. Hibbs,	G. W. Quick,
E. Burr,	Jas. R. Hindman,	William S. Richart,
Landon Carter,	Elijah Hogan,	R. M. Spalding,
J. S. Chrisman,	Jeff. Holeman,	P. M. Thurmond,
James R. Claybrook,	R. E. Humphrey,	A. D. Weller,
A. T. Coffman,	Elijah Hurst,	John Wolf,
Thomas H. Corbett,	George M. Jessee,	S. M. Wrather,
Asbury Dawson,	John W. Kendall,	Hugh H. York—43.
J. C. DeMoss,		

Those who voted in the negative, were—

Mr. SPEAKER (Bunch),	N. C. Dille,	George R. McKee,
George W. Anderson,	H. G. Duerson,	Thomas E. Moss,
J. M. Atherton,	M. W. Ferguson,	Edward Myall,
Wm. F. Barret,	James P. Ford,	Joshua B. Parks,
Robert C. Beauchamp,	W. W. Frazer,	E. A. Pearson,
John W. Blue,	John N. Furber,	Elijah C. Phister,
Samuel W. Brents,	Samuel G. Geisler,	Alfred T. Pope,
William B. Caldwell,	J. B. Hays,	Douglass L. Price,
James E. Cantrill,	T. H. Hays,	G. W. Silvertooth,
Thomas T. Cogar,	William Irwin, sr.,	Robert Simmons,
I. B. Combs,	Alfred M. Jones,	R. K. Smith,
R. L. Cooper,	James Kilgore,	George W. Terrell,
Joseph M. Davidson,	Francis M. Lowe,	John F. Wight,
F. R. Davis,	G. W. Little,	L. Wilson—43.
George R. Diamond,	J. J. McAfee,	

Mr. McCreary then moved to postpone the further consideration of said bill and amendments till 10½ o'clock, A. M., to-morrow.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. McKenzie and Chrisman, were as follows, viz :

Those who voted in the affirmative, were—

William Adair,	Joseph M. Davidson,	William J. McElroy,
Silas Adams,	F. R. Davis,	George R. McKee,
Ervin Anderson,	J. C. DeMoss,	James A. McKenzie,
P. W. Barron,	D. E. Downing,	Mason Morris,
D. M. Bowen,	John Duvall,	Elijah C. Phister,
Howell Brewer,	John N. Furber,	Wm. S. Richart,
James E. Cantrill,	Clinton Griffith,	Richard M. Spalding,
Landon Carter,	Ashton P. Harcourt,	P. M. Thurmond,
J. S. Chrisman,	J. L. Hibbs,	A. D. Weller,
James R. Claybrook,	Elijah Hogan,	John Wolf,
A. T. Coffman,	Elijah Hurst,	S. M. Wrather,
R. L. Cooper,	John W. Kendall,	Hugh H. York—38.
Thomas H. Corbett,		

Those who voted in the negative, were—

Mr. SPEAKER (Bunch),	W. W. Frazer,	Thomas E. Moss,
George W. Anderson,	Samuel G. Geisler,	Thomas H. Moss,
J. M. Atherton,	Robert T. Glass,	Edward Myall,
Wm. F. Barret,	L. D. Good,	Joshua B. Parks,
Alpheus W. Bascom,	D. Hambleton,	E. A. Pearson,
Robert C. Beauchamp,	J. B. Hays,	Alfred T. Pope,
John W. Blue,	T. H. Hays,	W. V. Prather,
Samuel W. Brents,	A. J. Hendrickson,	Douglass L. Price,
E. Burr,	James R. Hindman,	G. W. Quick,
William B. Caldwell,	Jeff. Holeman,	George W. Riddle,
Thomas T. Cogar,	R. E. Humphrey,	Geo. W. Silvertooth,
I. B. Combs,	William Irwin, sr.,	Robert Simmons,
Asbury Dawson,	Alfred M. Jones,	R. K. Smith,
George R. Diamond,	James Kilgore,	George W. Terrell,
N. C. Dille,	Francis M. Lowe,	J. L. Waring,
H. G. Duerson,	G. W. Little,	John F. Wight,
M. W. Ferguson,	J. J. McAfee,	L. Wilson—53.
James P. Ford,	James B. McCreary,	

The hour of 12 o'clock, M., having arrived, Mr. Pope moved to postpone the consideration of the special order fixed for this hour until to-morrow, at 11 o'clock, A. M., viz :

A bill to authorize the trustees of the Cincinnati Southern Railway to acquire the right of way, and to extend a line of railway through certain counties in this Commonwealth.

And the question being taken on the motion of Mr. Pope, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Chrisman and Adams, were as follows, viz :

Those who voted in the affirmative, were—

Mr. SPEAKER (Bunch),	Joseph M. Davidson,	James B. McCreary,
Silas Adams,	Asbury Dawson,	Mason Morris,
G. W. Anderson,	George R. Diamond,	Thomas E. Moss,
J. M. Atherton,	N. C. Dille,	Thomas H. Moss,
W. F. Barret,	H. G. Duerson,	Joshua B. Parks,
P. W. Barron,	M. W. Ferguson,	E. A. Pearson,
Rob't C. Beauchamp,	W. W. Frazer,	Elijah C. Phister,
John W. Blue,	Robert T. Glass,	Alfred T. Pope,
D. M. Bowen,	Ashton P. Harcourt,	W. V. Prather,
Samuel W. Brents,	J. B. Hays,	Douglass L. Price,
E. Burr,	T. H. Hays,	G. W. Quick,
William B. Caldwell,	James R. Hindman,	George W. Riddle,
A. T. Coffman,	Jeff. Holeman,	George W. Silvertooth,
Thos. T. Cogar,	R. E. Humphrey,	R. M. Spalding,
I. B. Combs,	William Irwin, sr.,	Geo. W. Terrell,
R. L. Cooper,	George M. Jessee,	J. L. Waring,
Thomas H. Corbett,	J. J. McAfee,	John F. Wight—51.

Those who voted in the negative, were—

Ervin Anderson,	Samuel G. Geisler,	Wm. J. McElroy,
Alpheus W. Bascom,	L. D. Good,	George R. McKee,
Howell Brewer,	D. Hambleton,	James A. McKenzie,
James E. Cantrill,	A. J. Hendrickson,	Edward Myall,
Landon Carter,	J. L. Hibbs,	William S. Richart,
J. S. Chrisman,	Elijah Hogan,	Robert Simmons,
James R. Claybrook,	Elijah Hurst,	R. K. Smith,
F. R. Davis,	Alfred M. Jones,	P. M. Thurmond,
J. C. DeMoss,	John W. Kendall,	L. Wilson,
D. E. Downing,	James Kilgore,	John Wolf,
John Duvall,	Francis M. Lowe,	S. M. Wrather,
James P. Ford,	G. W. Little,	Hugh H. York—37.
John N. Furber,		

And so said bill was made the special order for to-morrow, at 11 o'clock, A. M.

And the House then resumed the further consideration of the bill and amendments first named.

Mr. Pope then moved the previous question.

And the question being stated, "Shall the main question be now put?" it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Bowen and McKenzie, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Bunch),	N. C. Dille,	G. W. Little,
George W. Anderson,	H. G. Duerson,	J. J. McAfee,
J. M. Atherton,	M. W. Ferguson,	T. E. Moss,
Wm. F. Barret,	James P. Ford,	Edward Myall,
Alpheus W. Bascom,	W. W. Frazer,	Joshua B. Parks,

Rob't C. Beauchamp,	John N. Furber,	E. A. Pearson,
John W. Blue,	Samuel G. Geisler,	Alfred T. Pope,
Samuel W. Brents,	R. T. Glass,	W. V. Prather,
E. Burr,	J. B. Hays,	Douglass L. Price,
Wm. B. Caldwell,	Thomas H. Hays,	G. W. Quick,
James E. Cantrill,	Jeff. Holeman,	George W. Riddle,
Thomas T. Cogar,	Wm. Irwin, sr.,	G. W. Silvertooth,
I. B. Combs,	Alfred M. Jones,	R. K. Smith,
Asbury Dawson,	James Kilgore,	Geo. W. Terrell,
J. C. DeMoss,	Francis M. Lowe,	John F. Wight—46.
Geo. R. Diamond,		

Those who voted in the negative, were—

William Adair,	John Duvall,	James A. McKenzie,
Silas Adams,	L. D. Good,	Mason Morris,
Ervin Anderson,	Clinton Griffith,	T. H. Moss,
P. W. Barron,	D. Hambleton,	Elijah C. Phister,
D. M. Bowen,	Ashton P. Harcourt,	William S. Richart,
Howell Brewer,	A. J. Hendrickson,	Robert Simmons,
Landon Carter,	J. L. Hibbs,	R. M. Spalding,
J. S. Chrisman,	Jas. R. Hindman,	P. M. Thurmond,
Jas. R. Claybrook,	Elijah Hogan,	J. L. Waring,
A. T. Coffman,	R. E. Humphrey,	A. D. Weller,
R. L. Cooper,	Elijah Hurst,	L. Wilson,
Thomas H. Corbett,	John W. Kendall,	John Wolf,
Joseph M. Davidson,	James B. McCreary,	S. M. Wrather,
F. R. Davis,	Wm. J. McElroy,	Hugh H. York—44.
D. E. Downing,	George R. McKee,	

And so the main question was ordered.

At five minutes past 1 o'clock, P. M., Mr. McKenzie moved that the House do now adjourn.

The Speaker ruled that the motion of Mr. McKenzie was out of order, as the House had decided that the previous question should be put.

From this decision of the Chair Mr. McKenzie appealed to the House, and reduced his appeal to writing, as follows, viz:

Upon the pending proposition the previous question had been ordered by the House. Mr. McKenzie thereupon moved to adjourn. The Speaker decided that the motion of Mr. McKenzie was out of order. From this decision Mr. McKenzie appeals to the House.

The question was then taken, "Shall the decision of the Chair stand as the decision of the House?" and it was decided in the affirmative.

The yeas and nays being required thereon, in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

G. W. Anderson,	M. W. Ferguson,	Francis M. Lowe,
J. M. Atherton,	James P. Ford,	J. J. McAfee,
Alpheus W. Bascom,	John N. Furber,	Edward Myall,
Robt. C. Beauchamp,	Samuel G. Geisler,	Joshua B. Parks,
John W. Blue,	Robert T. Glass,	E. A. Pearson,
Samuel W. Brents,	L. D. Good,	W. H. Pettus,
Howell Brewer,	Ashton P. Harcourt,	Alfred T. Pope,
E. Burr,	J. B Hays,	Douglass L. Price,
William B. Caldwell,	T. H. Hays,	G. W. Quick,
James E. Cantrill,	Jeff. Holeman,	G. W. Silvertooth,
Thomas T. Cogar,	R. E. Humphrey,	Robert Simmons,
I. B. Combs,	Wm. Irwin, sr.,	R. K. Smith,
Thomas H. Corbett,	George M. Jessee,	George W. Terrell,
George R. Diamond,	Alfred M. Jones,	John F. Wight,
N. C. Dille,	James Kilgore,	Hugh H. York—45.

Those who voted in the negative, were—

William Adair,	D. E. Downing,	Thomas E. Moss,
Ervin Anderson,	H. G. Duerson,	Thomas H. Moss,
Wm. F. Barret,	John Duvall,	Elijah C. Phister,
P. W. Barron,	W. W. Frazer,	W. V. Prather,
D. M. Bowen,	J. L. Hibbs,	William S. Richart,
Landon Carter,	James R. Hindman,	George W. Riddle,
J. S. Chrisman,	Elijah Hogan,	Richard M. Spalding,
James R. Claybrook,	Elijah Hurst,	P. M. Thurmond,
A. T. Coffman,	G. W. Little,	J. L. Waring,
R. L. Cooper,	William J. McElroy,	A. D. Weller,
Joseph M. Davidson,	George R. McKee,	L. Wilson,
F. R. Davis,	James A. McKenzie,	John Wolf,
Asbury Dawson,	Mason Morris,	S. M. Wrather—39.

And so the decision of the Chair was sustained.

Mr. McCreary then moved to reconsider the vote by which the main question was ordered.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. McCreary and Chrisman, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Bunch),	F. R. Davis,	George R. McKee,
William Adair,	Asbury Dawson,	James A. McKenzie,
Silas Adams,	D. E. Downing,	Mason Morris,
Ervin Anderson,	John Duvall,	T. H. Moss,
Wm. F. Barret,	L. D. Good,	Elijah C. Phister,
P. W. Barron,	D. Hambleton,	Wm. S. Richart,
D. M. Bowen,	A. J. Hendrickson,	Robert Simmons,
Howell Brewer,	J R. Hindman,	Richard M. Spalding,
Landon Carter,	Elijah Hogan,	P. M. Thurmond,

J. S. Chrisman,
James R. Claybrook,
A. T. Coffman,
R. L. Cooper,
Thomas H. Corbett,
Joseph M. Davidson,
R. E. Humphrey,
Elijah Hurst,
George M. Jessee,
James B. McCreary,
William J. McElroy,
A. D. Weller,
L. Wilson,
John Wolf,
S. M. Wrather,
Hugh H. York—43.

Those who voted in the negative, were—

G. W. Anderson,
J. M. Atherton,
Alpheus W. Bascom,
Rob't C. Beauchamp,
John W. Blue,
Samuel W. Brents,
E. Burr,
William B. Caldwell,
James E. Cantrill,
Thomas T. Cogar,
I. B. Combs,
George R. Diamond,
N. C. Dille,
H. G. Duerson,
M. W. Ferguson,
James P. Ford,
W. W. Frazer,
John N. Furber,
Samuel G. Geisler,
Robert T. Glass,
J. B. Hays,
Thomas H. Hays,
William Irwin, sr.,
Alfred M. Jones,
James Kilgore,
Francis M. Lowe,
G. W. Little,
J. J. McAfee,
Edward Myall,
Joshua B. Parks,
E. A. Pearson,
Alfred T. Pope,
W. V. Prather,
Douglass L. Price,
G. W. Quick,
George W. Riddle,
G. W. Silvertooth,
R K. Smith,
George W. Terrell,
John F. Wight—40.

And so said vote was reconsidered.

And then the House adjourned.

THURSDAY, JANUARY 19, 1871.

The following petitions were presented, viz:

By Mr. Bowen—

1. The petition of citizens of justices' district No. 2, of Franklin county, praying the passage of a law prohibiting the sale of intoxicating liquors within that district.

By Mr. Hibbs—

2. The petition of sundry citizens of Marshall county, praying the passage of a law to authorize Thomas E. Jones to peddle without obtaining a license so to do.

By Mr. Richart—

3. The petition of the trustees of the town of Winchester, praying the repeal of a certain act therein named.

Which were received, the reading dispensed with, and referred to the Committee on Propositions and Grievances.

Mr. Pettus presented the petition of citizens of this Commonwealth, praying the passage of an act to aid in the construction and extension of the Southern Railway.

Mr. Bowen presented the following report of the Commissioners for the erection of Fire-proof Offices, &c., viz:

To the General Assembly of the Commonwealth of Kentucky:

The undersigned, Commissioners appointed by an act of your honorable body, entitled "An act to provide for the erection of fire-proof offices at the Seat of Government," approved the 2d day of February, 1869, respectfully submit the following report:

That since the presentation of their former report, the Hon. I. T. Martin, one of their body, has departed this life, whereby the Board of Commissioners has lost one of its most intelligent, active, and efficient members. The vacancy in the Board occasioned by the death of Senator Martin has been filled by the appointment of the Hon. E. D. Standeford. We also have to report the resignation of J. Mason Brown, and the appointment of J. W. Hunt Reynolds in his place, and also the resignation of P. Swigert, and the appointment of W. P. D. Bush in his place. The Commissioners further report, that since their former report their first Superintendent, Gen. M. L. Clarke, has resigned his position, and in his place C. S. Mergell, an architect of acknowledged ability and qualifications, has been appointed by the Board, and under whose supervision the work is now being conducted.

Mr. Mergell, upon entering upon the discharge of his duties, at the suggestion of the Board made an examination of the work as far as it had progressed, and reported to the Board that much of it would have to be pulled down, partly on account of defective execution by the contractors, Haly, Mahoney & Co., and partly on account of errors and defectiveness of plans and specifications of the original architects, Bradshaw, Vogdes & Co. The Commissioners themselves becoming satisfied that it was probable that the building, so far as constructed was unsafe, and if they attempted further superstructure upon the

work already done, it would end in a general failure, procured the services of Mr. H. Whitestone, the architect and builder of the Galt House, in the city of Louisville, to come to Frankfort and make a thorough examination of the work, and inform the Board whether it would be safe to go on with it, and if unsafe, whether the fault was in the execution of the work by the contractors or in the plans and specifications of the original architects. The facts disclosed, both by the reports of Mergell and of Whitestone, satisfied the Commissioners that it was absolutely necessary to pull down much of the work which had been put up during the past year, and directed their said Superintendent to proceed with the work, pulling down only such as was clearly necessary, and in the reconstruction to adopt such changes upon the original specifications only as were necessary to make the building substantial and safe, and answer the purposes for which it was designed.

Pursuant to these instructions, the work upon the building was resumed as early in the spring of 1870 as practicable. Upon close examination, it was found that a great portion of the work which had been performed the year before was so defective in execution, and in some instances so inferior in the material, as to make it necessary to pull down large sections of the walls; and it was found further, that the groined arches had to be dispensed with altogether, and iron beams had to be substituted. This change involved a heavy expense, as will more fully appear in a subsequent part of this report. These departures from the original specifications, and others, the necessity of which were made manifest as the work progressed, had the effect of creating a very large account for extra work. We have endeavored to keep these accounts separate and distinct, so as to show what had been expended under each head. For a detailed statement of the accounts and other matters, we refer your honorable body to the accompanying reports of the Superintendent, Mr. Mergell, marked A, B, and C. For reconstruction—that is, for pulling down and rebuilding—we expended the sum of $5,747 68. For extra work, made necessary to give strength, &c., to building, we expended $31,337 83. Thus showing the expenditure of the sum of $37,085 51 for reconstruction and extra work. The entire cost of the work and materials up to the 31st day of December, 1870, as shown on page 16 of the report of Mergell, marked A, and also by the report of the Building Committee of this

Board, which is now made a part of this report, marked D, amounts to the sum of $114,011 71; since which time the work has been progressing with the view of getting the building under roof.

The Commissioners found that the appropriation heretofore made, for the reasons above suggested, would be exhausted before the building could be placed under roof; and deeming it an absolute necessity to have the building covered to prevent injuries to the walls and other parts of the work, upon their individual credit borrowed from the banks in this city the sum of ten thousand dollars, with which they expect to be able to finish the roof, and thus secure the building from injuries by frost during the winter. The Commissioners have in good faith endeavored to secure to the State a building almost absolutely fire-proof, and substantial in all respects, in conformity with the requirements of the act of your honorable body, and that, too, at a reasonable cost. Many of the Board have given their personal attention to the work as it progressed, and have spared neither time nor pains to guard the interests of the State.

The Commissioners further report, that they have caused their Superintendent to furnish the Board with an estimate of the amount required to finish the building in proper style for the purposes for which it is intended. That estimate is now submitted to your honorable body for such action as you may deem proper under all the circumstances. It will be seen that the cost of finishing the building, as estimated by said Superintendent, is a fraction under one hundred thousand dollars.

The Commissioners will cheerfully furnish any additional information within their power which your honorable body, or any committee thereof, may require, or desire to know.

All of which is respectfully reported.

J. W. STEVENSON,
G. W. CRADDOCK,
H. RODMAN,
A. W. DUDLEY,
S. I. M. MAJOR,
G. W. ANDERSON,
NORVIN GREEN,
E. D. STANDEFORD,
J. W. HUNT REYNOLDS.

JANUARY 17, 1871.

(D.)

REPORT OF BUILDING COMMITTEE.

To the Hon. JOHN W. STEVENSON, *Chairman Board of Commissioners of Fire-proof Offices:*

The undersigned, Building Committee, appointed by the Board of Commissioners to supervise the erection of the State fire-proof offices, beg leave to submit the following report:

They entered upon the discharge of their duties the last of May, 1870, finding the undertaking much more arduous than was previously contemplated. As a part of this report, reference is made to the accompanying documents of C. S. Mergell, Superintendent of the building.

It seems that up to the 2d of April, 1870, there had been paid to the contractors, Haly, Mahoney & Co., on account of the work, the sum of $42,000 85, with the first story yet lacking five feet in height; while the full value of the work done and material on the ground was $36,000; this being under the charge of General M. L. Clarke, the Superintendent, with the reservation of 10 per cent., as required by the contract with Haly & Co., on $31,534 98.

Our attention was first called to the defects in this building by Mr. Mergell; afterwards by Mr. Whitestone's report to the Board of Commissioners; again by C. S. Mergell, the present Superintendent.

Of the serious defects and unworkmanlike manner of the building, both in the basement and first story, we became fully apprised; thus proving to us the indispensable necessity of pulling down the first story—even to the foundation in many places—in order to secure a good, safe, and substantial building, as contemplated by the Legislature. Being thus convinced of this necessity, we directed Mergell, the Superintendent, to commence work on the defective portions thereof, and proceed no further than became necessary to secure a good, substantial, and durable building, taking it under his immediate supervision and control, together with the workmen, on agreed terms with Haly & Co. and the Board of Commissioners, paying for the use of tools, implements, &c., subject to adjustment hereafter between Haly & Co. and the Board of Commissioners. Also under-

taking, when having completed this reconstruction, by replacing and giving strength to the defective parts, to deliver it up to Haly & Co., urging them to proceed with all dispatch to its completion.

The cost of this reconstruction is in amount $5,747 68; what portion of this amount is chargeable to Haly & Co. is referred to the Board of Commissioners.

The work under the contract was again commenced, and as it progressed the confused and contradictory defects in the specifications and drawings by the drafting architect greatly increased; showing conclusively the folly of hazarding the erection of so costly a building without a thorough change in very many important parts of the same.

Even the projected combing of the Senate Chamber was represented by the architects as being so defective that it must *fall* when the scaffolding should be removed. Consequently, in order to carry out the plan of this building, we instructed Superintendent Mergell to proceed with the design, adding strength and durability, with such necessary changes in strength and material as would preserve such design. By these necessary alterations and changes the sum of $31,337 83 was expended under the head of "Extra Work and Material."

Discovering that a part of the 10 per cent. reservation had not been withheld from the contractors, Haly & Co., and that large overdrafts had been made, Superintendent Mergell commenced making his drafts under the contracts, gradually curtailing the amounts of same, with the view and object of embracing, and at last fully retaining, this over-draft and 10 per cent. by such reservations, and at the same time not oppressing Haly & Co., fearing that they would surrender the contract (with which we were often threatened), and thereby hazard the over-payments made by the Commissioners.

It has required some effort in inducing Haly & Co. to progress with the work. Frequent stoppage in work; withdrawal of hands; lack of supplies of stone and other material; Haly residing in Louisville; seldom at the building; except at the end of every two weeks (when pay day should arrive); trusting the supervision to an inexperienced young man, have constituted the principal drawbacks.

C. S. Mergell, Superintendent, states the cost of the work as follows, to-wit:

Amount of work under the contract of Haly & Co.		$65,465 55
Reconstruction of defective basement and first story		5,747 68
Extra work outside of the contract, viz:		
Brick work	$2,248 13	
Stone work	12,078 00	
Iron work	13,236 70	
Carpenters' work	3,775 00	
		31,337 83
Total value to 31st December, 1870		$102,551 06
To which must be added, outside of the connection with Haly & Co., for sundries of advertising, plan and specifications, locks, safes, Superintendents, and tin roofing		11,460 65
Total to 31st December, 1870		$114,011 71

From the above condensed statement, taken from Superintendent Mergell's report, it seems Haly & Co. have executed work and furnished material to the amount of $102,551 06, on which drafts upon the Treasurer have been drawn in favor of Haly & Co. for $97,782 16, leaving a reservation of $4,768 90 to cover the ten per cent. required.

It seems Haly & Co. have not paid two notes for the purchase of old building sold them, of $908 each, and interest, about $2,000, to be deducted from the reserved amount; also the sum of $3,000 (page 17, stated by Superintendent Mergell) paid to Haly & Co. on the 4th June, 1870, by Swigert, Secretary.

The work was about to be stopped at one time for the want of money in the Treasury. The Building Committee arranged with the banks to advance about $15,000, which has been paid. Discovering that the $100,000 appropriated by the Legislature was exhausted, four or five of the Board of Commissioners executed their notes to the Farmers' Bank and Bank of Kentucky for $10,000, thus procuring a loan to enable us to put on the roof of the building and protect it from the ravages of the storms of winter; for which sum these gentlemen are liable.

Thus it seems, from the statements of the Superintendent, Mergell, that the whole cost of this building, up to the 31st of December, 1870, is $114,011 71, to which must be added work on the roofing (now progressing) to secure the entire combing.

We learn that one or two certificates furnished to Haly & Co. by Mergell, Superintendent, on which drafts were drawn by Secretary P. Swigert for an *extra* supply of iron girders, amounting to some

$3,000 or $4,000, have not been approved by the Board of Commissioners.

These girders were ordered by Haly & Co. from an iron house in Pittsburg. Learning that Superintendent Mergell had allowed Haly & Co. about $12,000 for them, the Chairman of the Building Committee caused the Superintendent, Mergell, to request of this iron house a copy of their bill of cost; which was refused, saying Haly & Co. had arranged the amount. Their letter is on file.

An agent of this iron house was here and demanded payment of the Chairman of this Board, which was declined, for the reason that the cost was supposed to be about $7,000.

This agent made a promise to leave a copy of their bill in the city; but failed to do so, and caused a notice to be served upon several of the Commissioners, notifying them to retain the amount unpaid. This notice is on file.

We learn with regret that P. Swigert, the Secretary of the Board of Commissioners and of this Committee, who has charge of the books, accounts, and papers of both Boards, has resigned such position as Secretary; consequently, we are unable at this time to furnish a detailed report showing the condition of these accounts.

We must refer the honorable Board of Commissioners to the accounts and papers returned by Mr. Swigert to your hands for information as to all expenditures for this building.

It will be perceived that Superintendent Mergell's estimate for the completion of the building was made at our request; said estimate being in amount $82,936 40; this, added to his other statement, makes the entire cost of the building $199,948; which he proposes to have finished by dissolving the contract with Haly & Co.—closing said contract with the completion of the roof, now nearly finished.

We advise reletting the work to such persons as are *skilled*, each in their respective *avocations*, or grant the power to a competent architect to employ skilled workmen by the day, under his special supervision and direction. The finishing up of this work is susceptible of so many different styles and variable forms, that it will be found difficult to have it finished in good style under the existing contract, defective as it is in minute description and detail.

General contractors, unless more strictly and specifically bound with full minutia and special details (which it is difficult to do), will usually consult their own interests in carrying out contracts; and that with the least possible expenditure of material and labor.

We are inclined to believe that these estimates in their cost are larger than necessary. We would further advise the closing of the contract, at this stage of the building, with Messrs. Haly & Co., and relet the building in some form—convinced, as we are, that, with the present contractors, our difficulties will be greatly increased.

The contract drawings and specifications are deficient, for the want of detailed description. Too much latitude is given to the contractors, allowing inferior work within their contract. But few contractors will give a good and perfect style, when inferiority will come within a *compliance*.

It may be well to add, in conclusion, that the total estimated cost seems, at first view, to be large. However, Superintendent Mergell shows, by a comparison with the stone work of the Galt House in Louisville, that *this* stone work has been executed at about one half the price.

All of which is respectfully submitted.

A. W. DUDLEY,
H. RODMAN,
Building Committee.

FRANKFORT, January 9, 1871.

(A.)

REPORT OF SUPERINTENDENT.

OFFICE OF SUPERINTENDING ARCHITECT
FIRE-PROOF PUBLIC OFFICES,
FRANKFORT, KY., December 31, 1870.

To the honorable Building Committee of the Board of Commissioners of the Fire-proof Public Offices, Messrs. A. W. Dudley, P. Swigert, and Dr. H. Rodman:

GENTLEMEN: In obedience to your directions, specified in your letter of December 7, requesting me to furnish the Board of Commissioners statements as follows, viz:

1st. Estimate of work done by John Haly under contract;

2d. Reason why parts of basement and first story had to be taken down and reconstructed;

3d. Cost of reconstruction;

4th. Statement of items of certified drafts for extra work;

5th. Statement of additions and deductions of work and materials;

6th. Furnishing the Board of Commissioners with these and other material items necessary for understanding and apprehension;

7th. Furnishing estimate of cost for completion of building;

I respectfully report as follows, to-wit:

To articles 1st, 3d, 4th, and 5th I answer, that the entire value of work under contract up to date, and also the items composing amounts for each check, value of additions and of deductions, you will find in annexed "Statement of Building Accounts."

In reply to 2d, 6th, and 7th, I have to say: the reasons for taking down and rebuilding portions of executed work were, "that they were built in a defective, weak, and unworkmanlike manner."

For explanation, I refer back to my previous reports made to the Board of Commissioners, dated April 8 and April 22, 1870, and subsequent reports to the Building Committee.

The walls taken down and rebuilt were:

Entire north wall, except northwest corner, down to foundations.

Portions of east wall, down to level of belt course of basement.

Entire center part of south wall, down to base course; all other parts of south wall except corners, down to first belt course.

Portion of west wall, near southwest corner, down to foundations.

Interior walls were taken down as follows:

Entire partition wall of Auditor's room.

Entire partition between Auditor's and private room.

Basement walls inside of stair-house all down to foundations.

Several openings and niches were underbuilt.

All groined arches for support of floors were taken down, except three.

Horizontal flues in walls were filled, and walls underpinned.

All parts were reconstructed in the best manner possible under the circumstances, except the aforementioned three groined arches, and several arches spanning apertures of basement walls, which, on account of saving time, have not yet been reconstructed; and the building was brought into a safe and good condition fit for continuation of work.

I cannot well discriminate and say who was most to blame for such work, as there were three parties to it, to-wit:

1st. The architects who drew plans and specifications.

2d. The Superintendent who directed and supervised the work.

3d. The contractors who executed the same. But from the drawings and specifications before me, I cannot help saying, that they are

so erroneous, confused, and contradictory, that the Superintendent ought to have refused to see them executed. As a single example, notice the following:

1. Specifications of stone masonry, referring to height of walls, say: "The stone walls must be built up to the height under side of *iron floor beams* of first story;" thus showing that the architects intended to construct this floor with iron beams.

2. One of the drawings being made part of the contract, shows this floor to be constructed with beams, but does not show of what material.

3. Specifications of iron work say: There must be iron I beams to support the floors of second and third stories (*and interspersed*) "as shown on drawings."

4. Other drawings also, in reference to contract, show that only a part of the second floor was to be constructed with iron beams, and that all other parts of second, and the entire first and third-story floors, should be of groined arches.

5. Specifications of brick work are silent about groined arches, and mention only segment arches between iron beams and arches over vaults, corridors, and over wall openings.

6. There are, even in the drawings showing groined brick arches, two entirely different styles of construction shown—some sections are flat segment; others more curved ellipse.

It is of the foregoing clearly to be seen that architects intended, *first*, to have iron beams and "brick arches between same"—as this is the usual manner in which large spans for fire-proof floors are constructed; but "that finding the cost of such construction to far overreach the appropriated sum of $100,000, or for the entire building complete, changed their original good design for the worse;" with the main object to cheapen cost of building—in such manner that contractor had the choice to take either—1st, iron beams with brick arches between; 2d, elliptic section, brick arches, without beams; 3d, flat segment section, brick arches, without beams.

Similar erroneous construction in most parts of work described in specifications may be seen in same referring to "walls and roof" of building, which were luckily seen and noticed in due time to prevent their execution, and the entire error made good with comparative small "monetary loss."

The injury to walls was caused by the following reasons:

1. Side pressure of "brick arches built on weak centers;" centers sagging down, bringing all the weight of brick work against walls, which had not sufficient weight to resist.

2. Parts of walls were injured by the first belt course over basement being set hollow; this mainly on the northeast corner and on west side, near southwest corner.

3. All parts were more or less injured by exposure to weather during winter.

4. Common mortar having been used for rubble masonry in rear of ashlar work of basement, and it having been spoiled by frost, caused the sagging down of the rubble wall below the level of cut stone work of same height of ashlar work of basement, under "cut stone belt course," thus causing, by oblique pressure of upper wall, the bulging out of lower ashlar work, and the "leaning in" of upper wall.

After the taking down of injured parts of basement and first story walls were concluded upon by Building Committee, and the charge of having this work done given to me, the taking down and rebuilding same was commenced by Mr. Haly, under my supervision, on the 20th day of May, 1870, with the following arrangement: Mr. Haly was to furnish hands and material at cost price, with no profit to himself, but with a compensation for furnishing derricks, tools, and all necessary implements. When all walls were rebuilt on the 1st of August, the entire work was turned over to him to proceed with contract.

In continuation of building, the greater part of the specifications in regard to work were ignored by me, for reasons sufficiently explained in foregoing reports; and the necessary alterations for strength and convenience properly designed and directed.

The following alterations in design were made:

Cut stone work.—Basement windows closed up; new archway over north entrance to basement made; central part of east elevation entirely new constructed; three center windows, with arched heads, for north wall; architraves for other widows of second and third stories checked back; upper stories were provided with bond-stones, extending through full thickness of wall; architrave under cornice of roof and first member of cornice proper were newly constructed, with two courses extending through full thickness of wall; frieze and tympanum of pediment were provided with attic windows; and many other changes, all for the better and more substantial construction, made.

Brick walls were made stronger; weakening flues omitted; fireplaces arranged.

Iron beams were laid for all floors of 1st, 2d, and 3d, and part of attic stories.

Cast iron girder arches, with tie-rods, were placed to receive upper partition brick walls; and all wood partitions omitted.

Cornice was made larger and richer in design, and of "galvanized" instead of "cast" iron.

Trusses were constructed for support of roof, and size of flooring-sleepers, rafters, &c., increased.

The extra cost for all the above named parts was estimated, in conformity with a schedule of prices handed to me by the Secretary of the Board of Commissioners, and acknowledged by Mr. Haly to be in conformity with bids for the different qualities of work as accepted by the Board of Commissioners. In cases where the character of the work was altogether different from that specified in the original contract, a fair and liberal price was agreed on; and when I thought that Mr. Haly's demands were too high, the settlement of such extra demands was referred to the Building Committee.

Mr. Haly repeatedly refused to proceed with the work on account of hesitation on my part to agree to his prices for such extra work, stating that his contract contained a clause specifying that prices for all changes must be agreed on before going into execution. In my opinion, Mr. Haly's demands for extras were too high for changes in roof, cornice, and stone architrave under same; being far above the proportional value of his schedule of prices in these parts. Mr. Haly, however, enforced the approval by stopping work altogether on the 14th of September, and not continuing until the 26th September, when the Building Committee, at my request, met in my office and succeeded in fixing prices to the satisfaction of both parties.

It was then that Mr. Haly promised to have the building under roof in two weeks; which promise, I regret to say, he has not made good, as on this, the last day of the year, the gable-ends of roof and chimney shafts are not finished; and the contractor for the tin work had to stop on this account.

In regard to quality of work executed by Mr. Haly, I would say that the work under my supervision has been fairly executed, and the building is in a safe condition, with the exception of the aforementioned remaining arches of basement, executed before the building was put under my charge, but which will be now attended to.

I must, however, complain that Mr. Haly's frequent and prolonged absence from the building—he residing in Louisville—has caused occasional misunderstandings of my directions by his employees to the disadvantage of the progress of work and dissatisfaction of myself and him.

I have the honor to submit the demanded estimate of cost for the finishing of building.

The character of this work is intended to be so different from the original contract, that it would lead to much difficulty between both parties—Mr. Haly and the Board of Commissioners—to settle difference of prices, if proceeding under the old contract. I therefore recommend, for the better control and progress of the work, that the present contract be dissolved, that new drawings and specifications be made, and, after being fully comprehended and understood and approved by the Building Committee of the Board of Commissioners, other more satisfactory arrangements be made for finishing the building.

The entire cost of the building, when completed, and brought into habitable condition, I estimate to be $199,968 11, approximate. (See annexed "Estimate of Cost.")

I respectfully submit some datas of cost of other buildings, showing that this amount is comparatively low for a building of that magnitude. For example:

Stone front of Louisville Galt House was contracted for at $75,000, for a front 170 by 90 feet; *or, per superficial foot*, $4 90.

Entire cost of cut stone work of your building, as it stands now, is $43,493; and when portico is completed it will amount to $55,500, for a front measuring 310 by 73 feet; *or, per superficial foot*, $2 45.

Considering difference added for transportation, difference of inconvenience in obtaining workmen in this town, and, furthermore, "the elaborate design of south and east fronts of your building, the same will compare favorably with the first named building." It appears that the cut stone work has been executed at very low prices.

I will also mention that the brick work has cost but eleven dollars per thousand—all "hard" brick—while the market price paid for "merchantable" brick has been fourteen dollars per thousand on other buildings erected in this town during the past year. I have it from a reliable authority (Dr. Norvin Green) that the cost of the Louisville Custom-house has exceeded the amount of $250,000. Said building

was erected in a time when labor and material could be obtained for half the present rates, and is not larger than yours.

These facts may explain why the work, though fairly executed, does not, in all parts, show that superior style, neatness, and mechanical skill, which is usually expected on public buildings, and which can only be attained by employing first-class mechanics and artisans at liberal wages.

As the honorable Committee will perceive from the annexed statement of building accounts, Mr. Haly had already drawn $42,000 before the 2d day of April, 1870, at which time the building was yet lacking an average height of five feet to the height of second story floor; while the full value of the executed work, according to my estimate at that date, was only $36,000; of which, according to contract, ten per cent. ought to have been retained.

The entire proportional amount of the value of work done by Mr. Haly under original contract is now, on the 31st day of December, 1870, only $65,465 55.

It was only with the greatest difficulty, and under constant fear of the entire stoppage of work by the contractor, that I could retain gradually the sum of $4,102 52 for security, being over 20 per cent. on balance of $23,465, but only about 6¼ per cent. on the entire $65,465; and it was also the large amounts of extra work required by changes of design, "for which a liberal price, without retaining any per centage, was paid," which induced and enabled Mr. Haly to proceed with the work.

With the consciousness that I have made the foregoing statements to the best of my judgment, and have answered fairly and without restraint the questions put before me by the honorable Building Committee,

I remain, very respectfully,
Your obedient servant,
C. S. MERGELL,
Supt. Fire-proof Offices.

Said report was ordered to be printed, and referred to the Committee on Public Offices.

Leave was given to bring in the following bills, viz:

On motion of Mr. Richart—

1. A bill for the benefit of the trustees of the town of Winchester in Clark county.

On motion of same—

2. A bill in relation to the sinking fund of Clark county.

Ordered, That the Committee on Propositions and Grievances prepare and bring in the 1st, and the Committee on County Courts the 2d.

Mr. Quick, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to amend the charter of Middletown;

An act to incorporate the German Bundes Lodge, No. 141, D. O. H., in the city of Louisville;

An act to amend the 11th section of the 13th chapter of the Revised Statutes, title "Change of Venue;"

An act to abolish the court of common pleas in Webster county;

An act for the benefit of T. M. Conditt, late sheriff of McLean county;

An act for the benefit of the citizens of Uniontown;

An act for the benefit of the citizens of Morganfield;

An act for the benefit of the sheriff of Caldwell county;

An act for the benefit of the sheriff of Lyon county;

And had found the same truly enrolled.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Quick inform the Senate thereof.

A message was received from the Senate, announcing that they had received official information that the Governor had approved and signed enrolled bills, which originated in the Senate, of the following titles, viz:

An act to repeal an act, entitled "An act to prohibit the sale or vending, or giving of vinous, spirituous, or malt liquors in the town of Irvine, or within two miles of the limits thereof," approved March 12th, 1869.

An act to amend an act, entitled "An act to establish a levy and county court for Jefferson county."

An act to authorize the St. Louis Bertrand Society, of the city of Louisville, to issue mortgage bonds.

That they had passed bills, which originated in the House of Representatives, of the following titles, viz:

An act to amend the charter of the Henry, Oldham, and Jefferson Turnpike Road Company.

An act for the benefit of E. P. Graves, of Fayette county.

An act for the benefit of John L. Ross, of Ballard county.

An act to extend the time of building fire-proof vaults in Barren county.

An act to amend an act, entitled "An act in relation to the collection of taxes in Bourbon county, in aid of the Maysville and Lexington Railroad Company, Northern Division," approved 21st March, 1870.

An act to amend the charter of the Bullitt County Turnpike Road Company.

An act for the benefit of W. L. Fitch, of Lewis county.

An act for the benefit of Thomas D. Grundy, of McCracken county.

That they had adopted a resolution, entitled

Resolution in regard to pensioning soldiers of the war of 1812.

And that they had passed bills of the following titles, viz :

1. An act for the benefit of J. J. Durham, sheriff of Green county.

2. An act for the benefit of the New Liberty and Owenton Turnpike Road Company.

3. An act to authorize the Owen county court to subscribe stock in the Owenton and Stamping Ground Turnpike Road Company.

4. An act to amend the charter of the Owenton and Ross Mill Turnpike Road Company.

5. An act to amend section 521 of the Civil Code of Practice.

6. An act for the benefit of John R. Sampson.

7. An act to authorize the Mercer county court to provide for the payment of the indebtedness of said county.

Which were read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That they be referred—the 1st to the Committee on Ways and Means ; the 2d and 4th to the Committee on Corporate Institutions ; the 3d to the Committee on Internal Improvement ; the 5th to the Committee on Codes of Practice ; the 6th to the Committee on the Judiciary ; and the 7th to the Committee on County Courts.

A message was received from the Senate, announcing that they had passed a bill, which originated in the House of Representatives, of the following title, viz :

An act concerning arrearages of pay due deceased soldiers, with an amendment thereto.

The House took up the amendment proposed by the Senate to a bill, which originated in the House of Representatives, of the following title, viz:

An act authorizing the county court of Perry county to issue bonds to pay off the present indebtedness of said county.

Said amendment was concurred in.

A message was received from the Governor by Mr. Samuels, Assistant Secretary of State, announcing that he had approved and signed enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to incorporate the Owensboro Savings Bank.

An act to close and discontinue Cedar street, in the town of Monterey, in Owen county.

An act in relation to stationery furnished members of the General Assembly.

An act for the benefit of the Gas Company of Paris.

An act to authorize the St. Louis and Iron Mountain Railroad Company to extend their railroad through the city of Columbus.

An act for the benefit of Elizabeth Quincy, and the children of John Quincy, deceased.

An act for the benefit of Dennis Mulligan, of Lexington.

An act to amend the charter of the town of Clayville, in Webster county.

An act to amend the charter of the town of Sharpsburg, in Bath county.

An act to amend the charter of the town of Dixon, in Webster county.

An act to amend the city charter of Covington.

Mr. Corbett, from the Committee on Propositions and Grievances, who were directed to prepare and bring in the same, reported,

A bill to repeal certain acts relative to the Louisville and Taylorsville Turnpike Road Company, and to amend the charter of the same.

Which was read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

On motion of Mr. Parks, said bill was recommitted to the same committee.

Bills were reported by the several committees, who were directed to prepare and bring in the same, of the following titles, viz:

By Mr. Corbett, from the Committee on Propositions and Grievances—

A bill to amend the charter of the town of New Market, in Marion county.

By Mr. Silvertooth, from a select committee—

A bill to incorporate the Monterey Bridge Company.

By Mr. Bowen, from a select committee—

A bill to provide for the establishment of the line between Franklin and Owen counties.

By Mr. T. E. Moss, from the Committee on County Courts—

A bill to amend an act authorizing the presiding judge of Fayette county to appoint a treasurer of same during his term.

Which were read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

The hour of 11 o'clock having arrived, on motion of Mr. Atherton, the consideration of the special order fixed for this hour, viz:

A bill to authorize the trustees of the Cincinnati Southern Railway to acquire the right of way, and to extend a line of railway through certain counties in this State,

Was postponed to, and made the special order of the day for, tomorrow, at 11 o'clock, A. M.

The rule being suspended, the House took up for further consideration a bill, entitled

A bill to amend section 1 of chapter 53 of the Revised Statutes, and the amendments proposed thereto.

Said bill reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That section 1 of chapter 53 of the Revised Statutes, be so amended that any rate of interest, agreed upon in writing, not exceeding ten (10) per cent. per annum, shall be lawful.

Mr. Wilson withdrew the amendment offered by him in Committee of the Whole.

Mr. Blue then moved an amendment to the substitute offered by him in Committee of the Whole.

Which was adopted.

The amendment moved by Mr. Blue, as amended, reads as follows, viz:

Strike out all but enacting clause, and insert in lieu thereof the following, viz:

§ 1. That section 1 of chapter 53 of the Revised Statutes, be so amended, that any rate of interest agreed upon in writing, not exceeding ten per cent. per annum, shall be lawful; but upon all contracts, where no other or greater rate of interest is stipulated, six per cent. per annum shall be held and deemed to be the lawful rate of interest on such contracts.

§ 2. That section 2 of said chapter be so amended, that all contracts and assurances, made directly or indirectly, for the loan or forbearance of money or other thing, at a greater rate of interest per annum than ten per centum upon each one hundred dollars, shall be void for the whole of said interest. The amount loaned may be recovered on any such contract or assurance; but if the lender refuse, before suit brought, a tender of the principal without interest, he shall pay the costs of any suit brought on such contract or assurance.

§ 3. That sections 1 and 2 of chapter 53 of the Revised Statutes, so far as they come in conflict with the provisions of this act, be, and they are hereby, repealed.

§ 4. This act shall take effect from and after the first day of July, 1871.

Mr. Chrisman then offered the following substitute for the bill and pending amendments.

WHEREAS, It is represented to this General Assembly that it would conduce to the general welfare of the people of this State to enforce contracts, to be hereafter made, for a greater rate of interest than six per cent. per annum; and whereas, this General Assembly is unwilling to make so great a change in a law of this State, which has existed upon our statute books since the organization of our State government, and has been for so long a time acquiesced in by our people as just to all parties concerned, without first consulting their wishes upon the subject. Now, for the purpose of ascertaining their will, and with the intent of conforming thereto,

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That it shall be the duty of the several officers conducting the general elections, to be held at the various voting places within this Commonwealth in August next, to cause two columns to be ruled on their several poll-books, one of which shall, on each page thereof, be headed "For a conventional rate of interest," and the other "Against conventional rate of interest;" and as each and every voter shall offer to cast his vote, they, or some one of them, shall distinctly put

to each the following question: "Are you in favor of a conventional rate of interest not exceeding ten per cent. per annum?" If the voter shall, in substance or form, respond that he is in favor of the same, his vote shall be recorded in the column first above named; if he shall, in substance or form, respond that he is against the same, then his vote shall be recorded in the other column.

§ 2. It shall be the duty of such officers, when they come to count and certify the other votes given at said general election, also, in like manner, to count and certify the votes given under this act.

§ 3. At the same time and place that, by law, the examiners of each county are required to certify the result of elections, they shall also count and certify to the Secretary of State the vote so given under this act.

§ 4. On the 1st day of September next after said election, or sooner, if the returns from all the counties are received, the Secretary of State shall open said certificates so to be returned, count the same, and make publication thereof in at least six newspapers published in this State, showing thereon the vote for and against a conventional rate of interest given in each county; and, at the meeting of the next General Assembly of this State, shall also make the same report to each House thereof

§ 5. This act shall take effect and be in force from and after its passage.

The question was then taken on the substitute, by way of amendment, offered by Mr. Chrisman, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Price and Chrisman, were as follows, viz:

Those who voted in the affirmative, were—

William Adair,	D. E. Downing,	James A. McKenzie,
Silas Adams,	John Duvall,	Mason Morris,
Ervin Anderson,	L. D. Good,	T. H. Moss,
P. W. Barron,	D. Hambleton,	W. V. Prather,
Alpheus W. Bascom,	William M. Hamlin,	G. W. Quick,
Howell Brewer,	A. J. Hendrickson,	Wm. S. Richart,
E. Burr,	J. L. Hibbs,	G. W. Silvertooth,
Landon Carter.	J R. Hindman,	R. K. Smith,
J. S. Chrisman,	Elijah Hogan,	Richard M. Spalding,
James R. Claybrook,	Jeff. Holeman,	P. M. Thurmond,
A. T. Coffman,	R. E. Humphrey,	A. D. Weller,
Thomas H. Corbett,	Elijah Hurst,	L. Wilson,
Joseph M. Davidson,	George M. Jessee,	John Wolf,
F. R. Davis,	G. W. Little,	S. M. Wrather,
Asbury Dawson,	James B. McCreary,	Hugh H. York—47.
J. C. DeMoss,	William J. McElroy,	

Those who voted in the negative, were—

Mr. SPEAKER (Bunch),	H. G. Duerson,	J. J. McAfee,
George W. Anderson,	M. W. Ferguson,	George R. McKee,
J. M. Atherton,	James P. Ford,	Thomas E. Moss,

Wm. F. Barret,	W. W. Frazer,	Edward Myall,
Rob't C. Beauchamp,	John N. Furber,	Joshua B. Parks,
John W. Blue,	Samuel G. Geisler,	E. A. Pearson,
D. M. Bowen,	Robert T. Glass,	Elijah C. Phister,
Samuel W. Brents,	Ashton P. Harcourt,	Alfred T. Pope,
William B. Caldwell,	Ben. Hardin,	Douglass L. Price,
James E. Cantrill,	J. B. Hays,	George W. Riddle,
Thomas T. Cogar,	Thomas H. Hays,	Robert Simmons,
I. B. Combs,	William Irwin, sr.,	George W. Terrell,
R. L. Cooper,	Alfred M. Jones,	J. L. Waring,
George R. Diamond,	James Kilgore,	John F. Wight—44.
N. C. Dille,	Francis M. Lowe,	

Ordered, That said bill, as amended, be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Mr. Silvertooth moved to reconsider the vote by which said bill was ordered to be engrossed and read a third time.

And the question being taken thereon, it was decided in the negative.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Smith and Price, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Bunch),	D. E. Downing,	William J. McElroy,
William Adair,	H. G. Duerson,	James A. McKenzie,
Ervin Anderson,	John Duvall,	Mason Morris,
J. M. Atherton,	W. W. Frazer,	Thomas H. Moss,
Wm. F. Barret,	Samuel G. Geisler,	Joshua B. Parks,
P. W. Barron,	D. Hambleton,	W. V. Prather,
Alpheus W. Bascom,	Wm. M. Hamlin,	Douglass L. Price,
E. Burr,	Ashton P. Harcourt,	G. W. Quick,
James E. Cantrill,	J. B. Hays,	William S. Richart,
J. S. Chrisman,	A. J. Hendrickson,	George W. Riddle,
James R. Claybrook,	J. L. Hibbs,	George W. Silvertooth,
A. T. Coffman,	James R. Hindman,	Robert Simmons,
Thomas T. Cogar,	Elijah Hogan,	George W. Terrell,
I. B. Combs,	Jeff. Holeman,	P. M. Thurmond,
Thomas H. Corbett,	R. E. Humphrey,	J. L Waring,
Asbury Dawson,	George M. Jessee,	A. D. Weller,
J. C. DeMoss,	Alfred M. Jones,	S. M. Wrather,
George R. Diamond,	James B. McCreary,	Hugh H. York—55.
N. C. Dille,		

Those who voted in the negative, were—

Silas Adams,	M. W. Ferguson,	G. W. Little,
Geo. W. Anderson,	James P. Ford,	J. J. McAfee,
Robert C. Beauchamp,	John N. Furber,	George R. McKee,
John W. Blue,	Robert T. Glass,	Edward Myall,
D. M. Bowen,	L. D. Good,	E. A. Pearson,
Samuel W. Brents,	Ben. Hardin,	Elijah C. Phister,
Howell Brewer,	T. H. Hays,	Alfred T. Pope,
William B. Caldwell,	Elijah Hurst,	R. K. Smith,
Landon Carter,	William Irwin, sr.	Richard M. Spalding,
R. L. Cooper,	James Kilgore,	John F. Wight,
Joseph M. Davidson,	Francis M. Lowe,	John Wolf—34.
F. R. Davis,		

Resolved, That the title of said bill be so changed as to read:

An act to take the sense of the people of this Commonwealth in regard to a conventional rate of interest.

The Speaker laid before the House the following communication, viz:

LOUISVILLE, KY., January 19th, 1871.

JOHN T. BUNCH, *Speaker:*

Louisville Commissioners, Chattanooga road, have signed no petition favoring Southern Railroad charter.

Please announce to the House.

J. M. DUNCAN,
A. O. BRANNIN,
D. B. HARRIS.

To the Honorable the General Assembly of the State of Kentucky:

The undersigned, incorporators of Louisville and Chattanooga Grand Trunk Railroad Company, resident in the State of Tennessee, beg leave most respectfully to urge you to grant a charter, upon liberal and reasonable terms, for the Cincinnati and Southern Railroad through the State of Kentucky. Your doing so will not, in our opinion, injure, but on the contrary, will benefit, the commercial prospects and interests of your noble Commonwealth, as well as of its great commercial center; and, instead of damaging, will strengthen and energize the building of the Louisville and Chattanooga Grand Trunk Railroad.

The people of our section and of the South have neither the capital or the credit necessary to build railroads, and we either have to do without them, or grant liberal franchises to those who have the capital and disposition to build them. We cannot build either of the above named roads. You need but look to the map to see of what

great importance both these lines of road are to the great South, and we sincerely and earnestly entreat you not to keep us closed out from the wonderful development these lines would give us, because of your advantage in geographical locations. We beg, we implore you not to become a barrier in the way of our recuperation.

In asking you to grant a charter from Cincinnati, we do so in no unfriendly spirit toward the Louisville road. We are devoted to and in favor of both enterprises. We believe that the wants of the country and business of the country demand both. We furthermore believe that these competing lines would be of immense advantage to the State of Kentucky, as well as the entire South, and instead of damaging the commerce and business of Kentucky, or any portion of it, would add immensely to their volume and expansion; and that the building of one line would inevitably lead to the building of the other.

We are not disposed to blame Kentucky for properly guarding, fostering, and protecting her own interests; but we implore her, by a proper regard for her well-established reputation for liberality, by her high renown, not to permit her counsels in this matter to be controlled by a narrow-minded and selfish policy. Do not let the interests of a few shut out the way to enterprise, progress, and advancement in all commercial and other material relations from your struggling, exhausted, and impoverished brethren of the South.

You are aware that the Legislature of Tennessee has given liberal charters to both these lines of road.

All which is respectfully submitted.

D. M. KEY,
GEO. L. GILLESPIE,
J. W. JAMES,
A. C. CARROLL,
SAMUEL WILLIAMS,

Incorporators for the County of Hamilton, Tennessee.

JANUARY 9th, 1871.

On motion of Mr. McKee,

Ordered, That said communication, together with the above petition, presented by him on yesterday, from the incorporators of the Louisville and Chattanooga Grand Trunk Railroad, be forthwith printed, and laid upon the table of members.

And then the House adjourned.

FRIDAY, JANUARY 20, 1871.

Leave was given to bring in the following bills, viz:

On motion of Mr. Bascom—

1. A bill to amend the charter of the Owingsville and Sherburn Turnpike Road Company.

On motion of same—

2. A bill for the benefit of the present and future sheriffs of Bath county.

On motion of same—

3. A bill to amend the charter of the Owingsville, Sharpsburg, and Bald Eagle Turnpike Road Company.

On motion of same—

4. A bill to amend the charter of the Bethel and Owingsville Turnpike Road Company.

On motion of Mr. Glass—

5. A bill for the benefit of Haly & Brawner.

Ordered, That the Committee on Internal Improvement prepare and bring in the 1st, 3d, and 4th; the Committee on Revised Statutes the 2d; and a select committee, consisting of Messrs. Glass, Silvertooth, Spalding, Barret, and Little, the 5th.

Mr. McKee presented the petition of certain incorporators of the Louisville and Chattanooga Grand Trunk Railroad Company, praying the grant of a charter to the Cincinnati Southern Railway.

Which was read.

Mr. McKee also presented, and caused to be read at the Clerk's table, the following dispatch, viz:

CHATTANOOGA, TENN., January 19, 1871.

To R. M. Bishop:

The signatures to memorial, by D. M. Key and others, are genuine, and memorial from other counties will reach you this week. Our people are a unit for your road.

W. P. RATHERBURN, *Mayor.*

Mr. Chrisman presented the petition of citizens of Lewis county, praying the passage of an act to grant the right of way to the Cincinnati Southern Railway.

Mr. McKenzie presented the petition of the board of councilmen of Hopkinsville, praying for an amendment to the charter of said town.

Which was received, the reading dispensed with, and referred to the Committee on Corporate Institutions.

Mr. Waring moved the following preamble and resolution, viz:

WHEREAS, There are certain Banking and Insurance Companies, and Mutual Fire Insurance Companies, that are seeking exemptions from the operation of the general insurance laws by special acts; therefore,

Be it resolved, That the Commissioner of Insurance, Gen. Gustavus W. Smith, be, and he is hereby, respectfully requested to inform this House whether or not, in his opinion, exemptions from or exceptions to the said general laws should be made; and also to inform the House, so far as he may be advised, of the policy of the States of New York and Massachusetts in this regard, and such other information upon this subject as he may deem of interest to this House.

Which were twice read and adopted.

Mr. Cogar, from the Committee on Internal Improvement, to whom was referred a bill from the Senate, entitled

An act for the benefit of the county of Estill,

Reported the same without amendment, and with the expression of opinion that said bill ought not to pass.

And the question being put, "Shall the bill be read a third time?" it was decided in the negative.

And so said bill was disagreed to.

Mr. Silvertooth, from the Committee on County Courts, who originated the same, reported

A bill to change the times of holding the Garrard circuit court.

Which was read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be recommitted to the same committee.

Mr. McKee, from the Committee on Revised Statutes, to whom was referred a bill from the Senate, entitled

An act to amend an act, entitled "An act to amend the 3d section, 2d article, 32d chapter, of the Revised Statutes,"

Reported the same without amendment.

On motion of Mr. McKee, said bill was recommitted to the Committee on Privileges and Elections.

Mr. Phister, from the Committee on the Judiciary, to whom was recommitted a bill from the Senate, entitled

An act for the protection of livery-stable keepers in this Commonwealth,

Reported the same with an amendment thereto.

Said amendment was adopted.

Ordered, That said bill, as amended, be read a third time.

Said bill was then read a third time.

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Phister, from the Committee on the Judiciary, to whom was referred a bill from the Senate, entitled

An act for the benefit of John R. Sampson,

Reported the same with an amendment thereto.

Said amendment was adopted.

Ordered, That said bill, as amended, be read a third time.

Said bill was then read a third time.

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Phister, from the Committee on the Judiciary, to whom was referred a bill from the Senate, entitled

An act to legalize the proceedings of the Barren county court in reference to the estate of John D. Courts, deceased, and for other purposes,

Reported the same without amendment.

Ordered, That said bill be read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Bills were reported by the several committees, who were directed to prepare and bring in the same, of the following titles, viz :

By Mr. Corbett, from the Committee on Propositions and Grievances—

A bill concerning the police court of the town of Winchester, Clark county.

By Mr. Phister, from the Committee on the Judiciary—

A bill to authorize the county judge of Ohio county to sign certain orders, and to legalize the same.

By same—

A bill for the benefit of Green A. Dunham, of Whitley county.

By Mr. Barret, from the Committee on Education—

A bill to provide for the erection of school buildings in the town of Cloverport.

Which were read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Barret, from the Committee on Education, who were directed to prepare and bring in the same, reported

A bill to amend an act, entitled "An act to revise, amend, and reduce into one the laws relating to the common schools of Kentucky."

Which was read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be printed, and placed in the orders of the day.

A message was received from the Governor by Mr. Samuels, Assistant Secretary of State, announcing that he had approved and signed enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to incorporate the German Bundes Lodge, No. 141, D. O. H., in the city of Louisville.

An act for the benefit of the sheriff of Caldwell county.

An act for the benefit of the sheriff of Lyon county.

An act for the benefit of the citizens of Uniontown.

An act to amend the 11th section of the 13th chapter of the Revised Statutes, title "Change of Venue."

An act to amend the charter of Middletown.

An act for the benefit of the citizens of Morganfield.

An act to abolish the court of common pleas in Webster county.

Mr. Quick, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to amend the charter of the Henry, Oldham, and Jefferson Turnpike Road Company;

An act for the benefit of E. P. Graves, of Fayette county;

An act for the benefit of John L. Ross, of Ballard county;

An act to extend the time of building fire-proof vaults in Barren county;

An act to amend an act, entitled "An act in relation to the collection of taxes in Bourbon county, in aid of the Maysville and Lexington Railroad Company, Northern Division," approved 21st March, 1870;

An act to amend the charter of the Bullitt County Turnpike Road Company;

An act for the benefit of Thomas D. Grundy, of McCracken county;

And had found the same truly enrolled.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Quick inform the Senate thereof.

A message was received from the Senate, announcing that they had received official information from the Governor that he had approved and signed an enrolled bill, which originated in the Senate, of the following title, viz:

An act to change the time of holding the March term of the quarterly court of the county of Trimble.

That they had passed bills, which originated in the House of Representatives, of the following titles, viz:

An act to charter the town of Adairville, in Logan county.

An act for the benefit of certain children of Meredith Miller, deceased, a free man of color.

An act authorizing the trustees holding the legal title to the parsonage of the Christian Church at Paris, to sell the same and reinvest the proceeds.

An act to amend an act amending chapter 4, article 1, title "Attorneys,' of the Revised Statutes, approved January 26, 1866.

An act to amend an act, entitled "An act to incorporate the Preachers' Aid Society, of the Louisville Conference of the Methodist Episcopal Church, South," approved January 26, 1858.

An act to amend an act, entitled "An act to incorporate the Church of the Messiah, at Louisville."

An act to amend the charter of the Louisville Furniture Manufacturing Company.

An act to amend an act, entitled "An act to establish the town of Beatty, in the county of Owsley."

An act to revise, digest, and compile the statute laws of this State.

With an amendment to the last named bill.

And that they had passed bills of the following titles, viz:

1. An act for the benefit of common school commissioners of this Commonwealth.

2. An act to authorize the sale of the Presbyterian church buildings, parsonage, and lots belonging to said church, in the town of Greenville.

3. An act for the benefit of the State House of Reform.

4. An act to amend an act, entitled "An act for the benefit of John T. Jackson," approved March 9, 1867.

5. An act to amend an act, entitled "An act to incorporate the Traders' Bank," approved February 13, 1869.

6. An act to amend the charter of the Ashland and Catlettsburg Turnpike Company.

Which were read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That they be referred—the 1st to the Committee on Education; the 2d to the Committee on Religion; the 3d to the Committee on Charitable Institutions; the 4th to the Committee on the Judiciary; the 5th to the Committee on Banks; and the 6th to the Committee on Corporate Institutions.

The hour of 11 o'clock having arrived, the House, according to order, resumed the further consideration of a bill, entitled

A bill to authorize the trustees of the Cincinnati Southern Railway to acquire the right of way, and to extend a line of railway through certain counties in this Commonwealth,

And the amendments offered thereto.

Pending discussion thereon, on motion, the House adjourned.

SATURDAY, JANUARY 21, 1871.

The following petitions were presented, viz:

By Mr. Burr—

1. The petition of citizens of Logan county, praying that a law may be passed releasing Martin S. Price from the payment of all taxes.

By Mr. Hibbs—

2. The petition of citizens of the county of Marshall, praying the passage of a law authorizing its county court to make an appropriation for the purchase of certain books.

By Mr. Harcourt—

3. The petition of citizens of Mount Washington, praying the passage of a law prohibiting the sale of liquors in said town.

By Mr. Thurmond—

4. The petition of citizens of Caldwell county, praying the establishment of a court of common pleas in said county.

By Mr. Dille—

5. The petition of Thomas Beckett and others, of Harrison county, praying the repeal of the law to remove mill-dams from Licking river.

Which were received, the reading dispensed with, and referred—the 1st and 3d to the Committee on Propositions and Grievances; the 2d to the Committee on County Courts; the 4th to the Committee on Circuit Courts; and the 5th to the Committee on Internal Improvement.

Mr. Simmons presented the petition of citizens of Covington, praying the passage of a law fixing a conventional rate of interest.

Which was received, the reading dispensed with, and ordered to be transmitted by the Clerk to the Senate, before whom a bill is now pending on that subject.

A message was received from the Senate, announcing that they had disagreed to a bill, which originated in the House of Representatives, entitled

An act to perfect incomplete records in the courts of this Commonwealth.

That they had passed bills, which originated in the House of Representatives, of the following titles, viz :

An act to authorize the county court of Todd county to levy a tax to discharge the indebtedness of said county.

An act for the benefit of the Cynthiana and Connersville Turnpike Road Company.

An act for the benefit of the Cynthiana, Paddy's Run, and Lair's Station Turnpike Road Company.

An act declaring Bullskin creek, in Clay county, a navigable stream, from its mouth to the forks of said creek.

An act to amend the charter of the Union Mills Turnpike Road Company.

An act to amend and reduce into one the several acts in relation to the road law of Greenup county.

An act to amend the charter of the Owingsville and Wyoming Turnpike Road Company.

An act to amend an act, entitled "An act to incorporate the Dividing Ridge Turnpike Road Company, in Mason county," approved March 9, 1868.

An act for the benefit of the Paris and Clintonville Turnpike Road Company.

An act to amend the charter of the Eminence and Ballardsville Turnpike Road Company.

An act to amend an act, entitled "An act to incorporate the Richmond and Lexington Railroad Company," approved March 2, 1867.

An act for the benefit of Olivia Stewart and her husband, William Stewart.

An act to re-enact an act, entitled "An act to fix the fees of sheriffs," approved February 4, 1865.

With amendments to the last two named bills.

And that they had passed bills of the following titles, viz :

1. An act to amend an act approved 20th December, 1865, entitled "An act to amend section 1, article 3, chapter 47, of the Revised Statutes."

2. An act to incorporate the Big Sandy Navigation and Manufacturing Company.

3. An act to incorporate the Mississippi and Southern Atlantic Railroad Company.

4. An act to amend the charter of the Eminence and Mulberry Turnpike Road Company.

5. An act to amend the charter of the Blue Lick Turnpike Road Company.

6. An act to amend an act, entitled "An act to incorporate the Winchester and Red River Iron Works Turnpike Road Company."

7. An act for the benefit of James W. Hogg, late sheriff of Letcher county.

8. An act for the benefit of H. J. Colvin, late sheriff of Taylor county.

9. An act to amend an act, entitled "An act to authorize the Fulton county court to levy and collect a tax in said county to repair the court-house in said county," approved January 26, 1870.

10. An act to repeal an act, entitled "An act to prohibit the sale or vending of vinous, spirituous, or malt liquors in the town of Blandville, in Ballard county," approved March 8, 1870.

11. An act for the benefit of Geo. W. Stubblefield, of Fulton county.

12. An act to amend an act, entitled "An act to amend and reduce into one the several acts respecting the town of Hickman," approved March 10, 1854.

13. An act to amend the sixth section of an act, entitled "An act to amend the charters of the Louisville and Frankfort and Lexington and Frankfort Railroad Companies," approved January 19, 1867.

14. An act permitting the citizens of Louisa to vote whether or not liquors shall be sold in said town.

Which were read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That they be referred—they 1st to the Committee on Revised Statutes; the 2d to the Committee on Internal Improvement; the 3d and 13th to the Committee on Railroads; the 4th, 5th, and 6th to the Committee on Corporate Institutions; the 7th and 8th to the Committee on Ways and Means; the 9th and 10th to the Committee on County Courts; the 11th to the Committee on Claims; the 12th to the Committee on Circuit Courts; and the 14th to the Committee on Privileges and Elections.

A message was received from the Senate, announcing that they had passed a bill, entitled

An act to amend the charter of the Bardstown and Bloomfield Turnpike Road Company.

The rule being dispensed with, said bill was taken up, read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Quick, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to amend an act amending chapter 4, article 1, title "Attorneys," of the Revised Statutes, approved January 26, 1866;

An act to change the county line of Whitley county;

An act for the benefit of certain children of Meredith Miller, deceased, a free man of color;

An act to authorize the trustees holding the legal title to the parsonage of the Christian Church at Paris to sell the same, and reinvest the proceeds;

An act to amend an act, entitled "An act to incorporate the Preachers' Aid Society of the Louisville Conference of the Methodist Episcopal Church, South," approved January 26, 1858;

An act to amend an act, entitled "An act to incorporate the Church of the Messiah, of Louisville;"

An act to amend the charter of the Louisville Furniture Manufacturing Company;

An act to amend an act, entitled "An act to establish the town of Beatty, in the county of Owsley;"

An act for the benefit of W. L. Fitch, of Lewis county;

And had found the same truly enrolled.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Quick inform the Senate thereof.

Bills from the Senate were reported, without amendment, by the committees to whom they had been referred, of the following titles, viz:

By Mr. Glass, from the Committee on Banks—

An act to amend an act, entitled "An act to incorporate the Traders' Bank," approved February 13, 1867.

By Mr. Thurmond, from the Committee on County Courts—

An act to authorize the county court of Knox county to issue bonds to raise money to erect a court-house and other public buildings in said county.

By Mr. Cogar, from the Committee on Internal Improvement—

An act to authorize the Owen county court to subscribe stock in the Owenton and Stamping Ground Turnpike Road Company.

Ordered, That said bills be read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

On motion, leave of absence, indefinitely, was granted to Messrs. Smith, Richart, Hogan, Lowe, Prather, and T. E. Moss.

Mr. Terrell offered the following resolution, which was adopted, viz:

Resolved, That Dr. H. J. Hul-cee, of Louisville, be granted the use of this hall on Friday night next, to deliver a lecture.

Mr. Hardin offered the following resolution, which was placed in the orders of the day, viz:

Resolved, That the Judiciary Committee be requested to report a bill compelling steamboats landing at wharves in Kentucky to keep on board, or attached to the boat, yawls or skiffs enough to take ashore, at one time, all passengers it may have capacity to carry.

The House took up the amendments proposed by the Senate to a bill, which originated in the House of Representatives, of the following title, viz:

An act to re-enact an act, entitled "An act to fix the fees of sheriffs," approved February 4, 1865.

Said amendments were concurred in, and the title thereof so amended as to read,

An act in relation to the fees of sheriffs.

Bills were reported by the several committees, who were directed to prepare and bring in the same, of the following titles, viz:

By Mr. Cogar, from the Committee on Internal Improvement—

1. A bill for the benefit of the Kentucky River Navigation Company, and others.

By same—

2. A bill relating to the Rolling Fork of Salt River.

By Mr. Weller, from the same committee—

3. A bill appropriating certain lands to the county of Pendleton.

Which were read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That the 1st be printed, and placed in the orders of the day; the 2d recommitted to the Committe on Internal Improvement; and that the further consideration of the 3d be postponed till Tuesday, 24th instant, at 11 o'clock, A. M.

Mr. Silvertooth, from the Committee on Circuit Courts, to whom was recommitted a bill, entitled

A bill to change the times for holding the Garrard circuit court,

Reported the same without amendment.

Ordered, That said bill be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

At fifteen minutes before 12, M., Mr. Hardin moved that the House do now adjourn.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Davidson and Cooper, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Bunch),	J. C. DeMoss,	John W. Kendall,
William Adair,	N. C. Dille,	J. J. McAfee,
P. W. Barron,	H. G. Duerson,	James A. McKenzie,
J. S. Chrisman,	Ben. Hardin,	E. A. Pearson,
A. T. Coffman,	J R. Hindman,	Robert Simmons,
Thomas T. Cogar,	Elijah Hurst,	Hugh H. York—20.
I. B. Combs,	George M. Jessee,	

Those who voted in the negative, were—

Ervin Anderson,	Robert T. Glass,	Mason Morris,
J M. Atherton,	L. D. Good,	T. H. Moss,
Wm. F. Barret,	Clinton Griffith,	Edward Myall,
Rob't C. Beauchamp,	D. Hambleton,	W. H. Pettus,

John W. Blue,
Samuel W. Brents,
Howell Brewer,
E. Burr,
William B. Caldwell,
James R. Claybrook,
R. L. Cooper,
Joseph M. Davidson,
Asbury Dawson,
George R. Diamond,
John Duvall,
W. W. Frazer,
William M. Hamlin,
Ashton P. Harcourt,
J. B. Hays,
Thomas H. Hays,
A. J. Hendrickson,
J. L. Hibbs,
R. E. Humphrey,
William Irwin, sr.,
Alfred M. Jones,
James Kilgore,
James B. McCreary,
William J. McElroy,
Elijah C. Phister,
G. W. Quick,
G. W. Silvertooth,
Richard M. Spalding,
George W. Terrell,
P. M. Thurmond,
J. L. Waring,
W. J. Webb,
A. D. Weller,
John F. Wight,
John Wolf—47.

Leave was given to bring in the following bills, viz:

On motion of Mr. Wight—

1. A bill to amend an act, entitled "An act to incorporate the Shelby County Agricultural and Mechanical Association."

On motion of Mr. McElroy—

2. A bill for the benefit of common school district No. 35, in Allen county.

On motion of Mr. Corbett—

3. A bill to amend an act, entitled "An act to regulate the sale and storage of illuminating oils made from coal, petroleum, or other bituminous substances, and for the better protection of life and property."

On motion of same—

4. A bill for the benefit of Ella Z. Mannion, of Ballard county.

On motion of Mr. Brents—

5. A bill to incorporate a cemetery company in or near the town of Glasgow, Barren county.

On motion of Mr. Myall—

6. A bill to regulate the holding of the special term of the Bourbon circuit court.

On motion of same—

7. A bill for the benefit of St. Peter's Protestant Episcopal Church in Paris, Kentucky.

On motion of Mr. Kilgore—

8. A bill in relation to depositions heretofore taken by persons known as examiners.

On motion of same—

9. A bill for the benefit of school districts Nos. 32 and 33, in Boyd county.

On motion of Mr. Combs—

10. A bill appropriating ten thousand dollars for the improvement of Red river.

On motion of same—

11. A bill to pay the commissioners for examining Red river.

On motion of Mr. Morris—

12. A bill to prohibit the sale of spirituous, vinous, or malt liquors in the town of Woodbury, Butler county.

On motion of Mr. Terrell—

13. A bill to amend section 1, article 1, chapter 84, Revised Statutes, title "Roads and Passways."

On motion of Mr. Blue—

14. A bill for the benefit of Crittenden county.

On motion of same—

15. A bill for the benefit of the Crittenden county court.

On motion of same—

16. A bill for the benefit of school district No. 56, in Crittenden county.

On motion of Mr. Barron—

17. A bill for the benefit of the jailer elect of Cumberland county.

On motion of Mr. McKenzie—

18. A bill to incorporate the Kentucky and Tennessee Railroad.

On motion of Mr. Davidson—

19. A bill to amend an act, entitled "An act to exempt homesteads from debt," approved February 10, 1866.

On motion of Mr. Silvertooth—

20. A bill to amend the charter of the city of Columbus, in Hickman county.

On motion of Mr. E. Anderson—

21. A bill for the benefit of Wm. Foy, of Graves county.

On motion of same—

22. A bill to regulate the time of holding the circuit courts, and to abolish the court of common pleas in certain counties in the first judicial district.

On motion of Mr. Beauchamp—

23. A bill to authorize the county court of Hancock county to increase the county levy.

On motion of Mr. Hurst—

24. A bill for the benefit of Thomas H. Noe, late deputy sheriff of Harlan county.

On motion of same—

25. A bill declaring certain tributaries of the Kentucky river navigable streams.

On motion of Mr. Adair—

26. A bill for the benefit of Wm. P. Carden, of Hart county.

On motion of same—

27. A bill to provide for the establishment of a commissioner of county claims for Hart county.

On motion of Mr. Jessee—

28. A bill for the benefit of the town of Newcastle, in Henry county.

On motion of same—

29. A bill for the benefit of the town of Eminence, in Henry county.

On motion of same—

30. A bill for the benefit of Jesse Johnson, of color, of Henry county.

On motion of Mr. Simmons—

31. A bill to incorporate the Knights of the Order of St. Crispin, of Kentucky.

On motion of Mr. York—

32. A bill to amend an act for the benefit of James Davis, of Knox county.

On motion of same—

33. A bill for the benefit of Leonard Farmer, of Josh Bell county.

On motion of Mr. Hendrickson—

34. A bill to amend the charter of the Cabin Creek and Manchester Turnpike Road.

On motion of Mr. Burr—

35. A bill to amend an act, entitled "An act in relation to the sale of spirituous, vinous, and malt liquors in Logan county."

On motion of same—

36. A bill to incorporate the First Colored Baptist Church of Russellville.

On motion of Mr. Barret—

37. A bill amending the laws in relation to divorce in this State.

On motion of same—

38. A bill incorporating the Bank of Commerce.

On motion of same—

39. A bill to amend an act to incorporate the Mechanics' Co-operative and Building Association of Louisville.

On motion of same—

40. A bill incorporating the Louisville College of Pharmacy.

On motion of same—

41. A bill for the benefit of Jas. P. Chambers, late clerk of the Jefferson circuit court.

On motion of same—

42. A bill to amend the charter of the Beargrass Transportation Company.

On motion of same—

43. A bill to amend the Central Passenger Railroad Company, of the city of Louisville.

On motion of Mr. Kendall—

44. A bill for the benefit of Morgan county.

On motion of Mr. J. B. Hays—

45. A bill for the benefit of school district No. 72, in Muhlenburg county.

On motion of Mr. Humphrey—

46. A bill for the benefit of the police judge of Sacramento, in McLean county.

On motion of Mr. Hardin—

47. A bill for the benefit of the sheriff of Nelson county.

On motion of Mr. Duerson—

48. A bill for the benefit of school district No. 1, in Oldham county.

On motion of Mr. Pettus—

49. A bill to amend the law relating to executions from quarterly courts, justices' courts, and police courts, having civil jurisdiction in this Commonwealth.

On motion of same—

50. A bill for the benefit of Wm. Langdon, committee for Thos. Langdon, an idiot, in Pulaski county.

On motion of Mr. Adams—

51. A bill for the benefit of W. D. Dye, of Russell county.

On motion of Mr. Dawson—

52. A bill for the benefit of school districts Nos. 7, 33, 27, and 30, in Simpson county.

On motion of Mr. Quick—

53. A bill to amend the law in relation to petit larceny.

On motion of Mr. Riddle—

54. A bill to amend an act approved March 10, 1870, entitled "An act to amend the charter of Uniontown."

On motion of same—

55. A bill for the benefit of the Industrial Society of the town of Caseyville, in Union county.

On motion of same—

56. A bill to incorporate Casey's Coal Mines, in Union county.

On motion of Mr. Claybrook—

57. A bill to amend the charter of the Springfield, Pleasant Run, and Mackville Turnpike Road Company.

On motion of same—

58. A bill to amend the charter of the Duncansville and Chaplin Turnpike Road Company, in Washington county.

On motion of same—

59. A bill for the benefit of school district No. 49, in Washington county.

On motion of Mr. Holeman—

60. A bill to incorporate the Farmers' Bank of Webster.

On motion of Mr. T. H. Hays—

61. A bill to permit the circuit judge of the fifth judicial district to name Tuesday as the first day of his court, instead of Monday, as now provided by law.

On motion of Mr. McAfee—

62. A bill to establish a board of commissioners for Mercer county.

On motion of Mr. E. Anderson—

63. A bill to repeal an act, entitled "An act regarding sheriffs in this Commonwealth," approved March 21, 1870.

On motion of Mr. DeMoss—

64. A bill for the benefit of Swift's Iron and Steel Works, in Campbell county.

On motion of Mr. Griffith—

65. A bill to prevent the practice of medicine without the practitioner has a diploma from some legally chartered institution.

Ordered, That the Committee on Propositions and Grievances prepare and bring in the 1st, 4th, 12th, 14th, 21st, 35th, 41st, and 63d; the Committee on Education the 29th, 16th, 45th, 48th, 52d, and 59th; the Committee on Agriculture and Manufactures the 3d; the Committee on Corporate Institutions the 5th, 28th, 29th, 34th, 36th, 39th, 40th, 43d, 55th, and 56th; the Committee on Circuit Courts the 6th, 22d, and 61st; the Committee on Religion the 7th; the Committee on Codes of Practice the 8th; the Committee on Internal Improvement the 10th, 11th, 25th, 57th, and 58th; the Committee on the Revised Statutes the 13th, 19th, 49th, and 53d; the Committee on the Judiciary the 15th, 31st, 37th, 42d, and 54th; the Committee on County

Courts the 17th, 23d, 27th, 30th, 44th, 46th, and 62d; the Committee on Railroads the 18th; the Committee on Ways and Means the 24th and 64th; the Committee on Claims the 26th, 32d, 33d, 50th, and 51st; the Committee on Banks the 38th and 60th; a select committee, consisting of Messrs. Silvertooth, Barret, and Duvall, the 20th; a select committee, consisting of Messrs. Hardin, Harcourt, and Atherton, the 47th; and a select committee, consisting of Messrs. McCreary, Ervin Anderson, Caldwell, Spalding, and Phister, the 65th.

Bills were reported by the several committees who were directed to prepare and bring in the same, of the following titles, viz:

By Mr. Chrisman, from the Committee on Circuit Courts—

A bill to amend an act, approved March 17, 1870, to change the time of holding circuit courts in the eleventh judicial district.

By Mr. Atherton, from the Committee on Privileges and Elections—

A bill to create an additional magistrates' district and voting precinct in Christian county.

By Mr. Griffith, from the Committee on Corporate Institutions—

A bill to extend the boundary of the town of South Carrollton.

By Mr. Wight, from the Committee on Propositions and Grievances—

A bill to amend an act, entitled "An act to incorporate the Shelby County Agricultural and Mechanical Association."

By Mr. Frazer, from the Committee on Ways and Means—

A bill exempting salt wagons from payment of toll on the Wilderness Turnpike Road, in the counties of Knox and Josh Bell.

By Mr. Hibbs, from the Committee on Propositions and Grievances—

A bill for the benefit of Thomas E. Jones, of Marshall county.

By Mr. Barret, from the Committee on Education—

A bill to exempt from taxation the property belonging to the Logan Female College.

By same—

A bill for the benefit of common school district No. 35, in Allen county.

By Mr. Griffith, from the Committee on Corporate Institutions—

A bill to amend an act, entitled "An act to amend an act to incorporate the town of West Point, in Hardin county," approved February 15, 1848.

By Mr. Pettus, from the Committee on Internal Improvement—

A bill to amend the Florence and Independence Turnpike charter.

Which were read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

And then the House adjourned.

MONDAY, JANUARY 23, 1871.

The following petitions and remonstrance were presented, viz:

By Mr. Kilgore—

1. The petition of citizens of Carter county, praying that Chadwick's creek may be declared a navigable stream for a certain distance.

By Mr. Carter—

2. The petition of certain citizens of Anderson county, praying the passage of an act to prohibit the sale of intoxicating liquors within one and a half miles of Fox creek meeting-house.

By Mr. Beauchamp—

3. The petition of certain citizens of Hancock county, praying the passage of an act to repeal the law prohibiting the sale of ardent spir s in the town of Hawesville, or within one mile thereof.

By same—

4. The remonstrance of ladies of said town, protesting against its repeal.

Which were received, the reading dispensed with, and referred—the 1st to the Committee on Propositions and Grievances; and the 2d, 3d, and 4th to the Committee on Religion.

Mr. Quick, from the Committee on Enrollments, reported that the committee had examined an enrolled bill, which originated in the House of Representatives, entitled

An act authorizing the county court of Perry county to issue bonds to pay off the present indebtedness of said county;

And an enrolled bill, which originated in the Senate, entitled

An act to legalize the proceedings of the Barren county court in reference to the estate of John D. Courts, deceased, and for other purposes;

And had found the same truly enrolled.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Quick inform the Senate thereof.

Mr. Thurmond, from the Committee on County Courts, who were directed to prepare and bring in the same, reported

A bill in relation to the sinking fund of Clark county.

Which was read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be recommitted to the same committee.

Mr. Thurmond, from the same committee, to whom was recommitted a bill, entitled

A bill to prevent trading in and buying county claims,

Reported the same without amendment, and with the expression of opinion that said bill ought not to pass.

And the question being taken, "Shall the bill be ordered to be read a third time, the opinion of the committee to the contrary notwithstanding?" it was decided in the negative.

And so said bill was rejected.

A message was received from the Governor by Mr. Samuels, Assistant Secretary of State, announcing that he had approved and signed enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to amend the charter of the Bullitt County Turnpike Road Company.

An act to amend an act, entitled "An act in relation to the collection of taxes in Bourbon county, in aid of the Maysville and Lexington Railroad Company, Northern Division," approved 21st March, 1870.

An act to extend the time of building fire-proof vaults in Barren county.

An act to amend the charter of the Henry, Oldham, and Jefferson Turnpike Road Company.

An act to amend an act, entitled "An act to incorporate the Church of the Messiah, at Louisville."

An act to amend an act, entitled "An act to incorporate the Preachers' Aid Society, of the Louisville Conference of the Methodist Episcopal Church, South," approved January 26, 1858.

An act to amend an act amending chapter 2, article 1, title "Attorneys,' of the Revised Statutes, approved January 6, 1866.

An act to amend an act, entitled "An act to establish the town of Beatty, in the county of Owsley."

An act to change the county line of Whitley county.

An act to amend the charter of the Louisville Furniture Manufacturing Company.

An act for the benefit of certain children of Meredith Miller, deceased, a free man of color.

An act authorizing the trustees holding the legal title to the parsonage of the Christian Church at Paris, to sell the same and reinvest the proceeds.

Mr. McCreary, from the Committee on Railroads, to whom was referred a bill from the Senate, entitled

An act to require railroad companies to keep open their ticket offices during one hour immediately next before the departure of their trains, in cases where tickets are required before entering the cars,

Reported the same with an amendment.

The question being taken on the adoption of the amendment reported by the committee, and no quorum voting thereon,

Ordered, That said bill be placed in the orders of the day.

A message was received from the Senate, announcing that they had passed bills, which originated in the House of Representatives, of the following titles, viz:

An act for the benefit of Wm. J. Mayo and Tolbert Akers, securities for Alexander W. Cecil, late sheriff of Floyd county.

An act for the benefit of Hermon V. Cothes, of Ballard county.

An act to amend the charter of the town of New Market, in Marion county.

And that they had passed bills of the following titles, viz:

1. An act changing the time of holding the Carroll county court.

2. An act to amend an act, entitled "An act to incorporate the town of Litchfield."

Which were read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That they be referred—the 1st to the Committee on County Courts, and the 2d to the Committee on Corporate Institutions.

The House then, on motion of Mr. Silvertooth, took up for consideration a resolution from the Senate, entitled

Resolution in regard to pensioning soldiers of the war of 1812.

Said resolution, being twice read, was unanimously concurred in.

Leave was given to bring in the following bills, viz:

On motion of Mr. Claybrook—

1. A bill for the benefit of school district No. 64, in Washington county.

On motion of Mr. Brents—

2. A bill for the benefit of school district No. 78, in Barren county.

On motion of Mr. Brewer—

3. A bill for the benefit of school district No. 30, in Owsley county.

On motion of Mr. Barron—

4. A bill for the prohibition of the sale of spirituous liquors, &c., in Cumberland county.

On motion of Mr. Davis—

5. A bill for the benefit of John P. Norvell, of Nicholas county.

On motion of Mr. McCreary—

6. A bill to authorize the sale of the Salem Presbyterian church buildings, together with the parsonage and land belonging to said church, in Clark county, with authority to the trustees to reinvest the proceeds of said sale.

On motion of Mr. Coffman—

7. A bill for the benefit of school district No. 60, in Ohio county.

Ordered, That the Committee on Education prepare and bring in the 1st, 2d, 3d, and 7th; the Committee on Propositions and Grievances the 4th; the Committee on the Judiciary the 5th; and the Committee on Religion the 6th.

Bills from the Senate were reported, without amendment, by the committees to whom they had been referred, of the following titles, viz:

By Mr. Duvall, from the Committee on County Courts—

An act to legalize certain proceeding of the Owen county court.

By same—

An act legalizing the sale of the old jail lot in the town of Owenton.

By Mr. Thurmond, from the same committee—

An act to authorize the Mercer county court to provide for the payment of the indebtedness of said county.

By same—

An act to repeal an act, entitled "An act to prohibit the sale or vending of vinous, spirituous, or malt liquors in the town of Blandville, in Ballard county," approved March 8, 1870.

Ordered, That said bills be read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Bills were reported by the several committees, who were directed to prepare and bring in the same, of the following titles, viz:

By Mr. Simmons, from the Committee on Ways and Means—

A bill to amend the charter of Swift's Iron and Steel Works, in Campbell county.

By Mr. Harcourt, from the Committee on Circuit Courts—

A bill to regulate the holding of the special term of the Bourbon circuit court.

By Mr. Duvall, from the Committee on County Courts—

A bill to regulate the election of a treasurer for Bourbon county.

By same—

A bill to prevent the destruction of fish in Cumberland river above the falls.

By Mr. Thurmond, from the same committee—

A bill to legalize certain acts of the Boone county court.

By Mr. McCreary, from the Committee on Revised Statutes—

A bill in relation to official sales in Boyle county.

By same—

A bill to amend chapter 15, article 3, section 3, of the Revised Statutes.

By Mr. Corbett, from the Committee on Propositions and Grievances—

A bill to amend an act in relation to the sale of spirituous, vinous, and malt liquors in Logan county, approved March 12, 1870.

By same—

A bill to continue in force an act, entitled "An act to run, mark, and define the line between the counties of Bourbon and Montgomery."

By same—

A bill for the benefit of Boone county.

By same—

A bill for the benefit of John W. Robinson, of Hickman county.

By Mr. Cooper, from the Committee on Religion—

A bill for the benefit of St. Peter's Protestant Episcopal Church, in Paris.

By Mr. Hindman, from the Committee on Corporate Institutions—

A bill to amend an act, entitled "An act to incorporate Cave Hill Cemetery."

By same—

A bill to amend the charter of the town of Ceralvo, in Ohio county.

By same—

A bill to incorporate the First Colored Baptist Church, of Russellville.

By Mr. Kendall, from the Committee on Revised Statutes.

A bill for the benefit of Estill Seminary.

Which were read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

And then the House adjourned.

TUESDAY, JANUARY 24, 1871.

Mr. Quick, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to charter the town of Adairville, in Logan county;

An act for the benefit of the Cynthiana and Connersville Turnpike Road Company;

An act for the benefit of the Cynthiana, Paddy's Run, and Lair's Station Turnpike Road Company;

An act declaring Bullskin creek, in Clay county, a navigable stream, from its mouth to the forks of said creek;

An act to amend the charter of the Union Mills Turnpike Road Company;

An act to amend the charter of the Owingsville and Wyoming Turnpike Road Company;

An act to amend and reduce into one the several acts in relation to the road law of Greenup county;

An act to amend an act, entitled "An act to incorporate the Dividing Ridge Turnpike Road Company, in Mason county," approved March 9, 1868;

An act in relation to the fees of sheriffs;

An act to authorize the county court of Todd county to levy a tax to discharge the indebtedness of said county;

An act for the benefit of the Paris and Clintonville Turnpike Road Company;

An act to amend the charter of the Eminence and Ballardsville Turnpike Road Company;

An act to amend an act, entitled "An act to incorporate the Richmond and Lexington Railroad Company," approved March 2, 1867;

An act for the benefit of Wm. J. Mayo and Tolbert Akers, securities for Alexander W. Cecil, late sheriff of Floyd county;

An act for the benefit of Hermon V. Cothes, of Ballard county;

An act to amend the charter of the town of New Market, in Marion county;

And also an enrolled bill, which originated in the Senate, entitled

An act to amend an act, entitled "An act to incorporate the Traders' Bank," approved February 13, 1867;

And had found the same truly enrolled.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Quick inform the Senate thereof.

The following petitions and remonstrances were presented, viz:

By Mr. Combs—

1. The petition of certain citizens of Morgan, Wolfe, and Breathitt counties, praying for the formation of a new county out of parts of said counties.

By Mr. Kendall—

2. The remonstrance of certain citizens of Morgan county, against the formation of a new county out of any part of her territory.

By Mr. Price—

3. The petition of citizens of Fayette county, praying the passage of a law to compel the Lexington, Versailles, and Frankfort Turnpike Road to alter their present rates of toll.

By Mr. Cantrill—

4. The petition of citizens of this Commonwealth, praying the passage of an act granting the right of way to the Cincinnati Southern Railway.

By Mr. Good—

5. The petition of citizens of Lincoln county, praying the passage of same act.

Which were received, the reading dispensed with (except the 5th, which was read) and referred—the 1st and 2d to the Committee on Propositions and Grievances; the 3d to the Committee on Internal Improvement; and the 4th and 5th to the Committee on Railroads.

The Speaker laid before the House the following response of the Commissioner of Insurance to the resolution of this House adopted on the 20th inst., viz:

INSURANCE BUREAU OF KENTUCKY,
OFFICE OF INSURANCE COMMISSIONER,
FRANKFORT, January 23, 1871.

To Hon. JOHN T. BUNCH, *Speaker of the House of Representatives of the State of Kentucky:*

SIR: In response to a resolution of the House of Representatives passed on the 20th inst., I would respectfully state:

There are fourteen companies organized by authority of this Commonwealth doing Fire and Marine Insurance business.

Since the date of my general report, the annual statement for the year 1870 of the Western Insurance and Banking Company, of

Louisville, has been received. In compliance with the law, this company has separated the *insurance capital* from the banking capital, and invested the assets belonging to the insurance business in accordance with the provisions of the general insurance laws now in force. There are now but two companies, viz: The German Bank and Insurance Company, and the Louisville Insurance and Banking Company, which have failed to signify their intention to invest their insurance capital, and the funds accumulated in the course of their insurance business, in the securities prescribed by the general insurance laws passed at the last session of the Legislature. All of the other companies have expressed their willingness and intention to comply with the law in this respect.

The recent general insurance laws have declared that the capital and funds of Insurance Companies shall not be used in general exchange, discount, and banking business.

The peculiar risks and dangers attendant upon Fire Insurance, and the magnitude of the amounts of money involved, are such as to demand that every proper safeguard that can be devised shall be by the law afforded to policy-holders and to the community in general.

The following extracts are given in illustration of the care with which the laws of the States of Massachusetts, New York, and Missouri guard the investments of the capital stock and accumulated funds of Insurance Companies in this particular.

By the general insurance laws of Massachusetts, article 2, section 75, it is provided "that no Insurance Company shall own more than one fourth of the capital of any one bank, nor invest in nor loan on the stocks and bonds, both included, of any one railroad company, more than one tenth of its own capital, nor in the aggregate shall the investment in and loan on all railroad property exceed one fifth of its capital." Again, in reference to National Banks, it is provided (section 76), "that no Insurance Company shall own or hold as collateral security more than one fourth of the capital of any one of such banking associations."

By the laws of New York, it is lawful for any Fire Insurance Company, incorporated under any law of that State, "to invest its capital and the funds accumulated in the course of its business, or any part thereof, in bonds and mortgages on unencumbered improved real estate within the State of New York, worth fifty per cent. more than the sum loaned thereon, exclusive of buildings, unless such

buildings are insured and the policy transferred to the company, and also in the stocks of this State, or stocks or Treasury notes of the United States; and also in the stocks and bonds of any county or incorporated city of this State, authorized to be issued by the Legislature; and to lend the same, or any part thereof, on the security of such stocks or bonds or Treasury notes, or upon bonds and mortgages as aforesaid."

But the surplus funds over and above the capital stock of "Fire and Inland Navigation Insurance Companies, or any Fire Insurance Companies incorporated under any law of this State, may be invested in or loaned upon the pledge of the public stocks or bonds of the United States, or any one of the States, or the stocks, bonds, or other evidences of indebtedness of any solvent dividend-paying institutions incorporated under the laws of this State or of the United States, except their own stock: *Provided always*, That the current market value of such stocks, bonds, and other evidences of indebtedness, shall be at all times, during the continuance of such loans, at least ten per cent. more than the sum loaned thereon."

Under the laws of the State of Missouri, "the amount of capital required to be paid in shall, before such company proceeds to do business, be held in cash, or invested in Treasury notes and stocks of the United States, or in stocks and bonds of the State of Missouri, or in bonds and mortgages, or deeds of trust, on improved unencumbered real estate, worth at least double the amount loaned thereon; provided that Health Insurance Companies shall not be required to have a paid up capital of more than ten thousand dollars."

There are similar provisions and restrictions in regard to the investment of the capital stock and accumulated funds of Insurance Companies in the laws of New Jersey, Ohio, and almost every other State which have passed any general insurance laws.

I do not think that prudent business men would desire to have their stock in a good bank subjected to the risks of Fire Insurance; nor do I think that a policy-holder in a Fire Insurance Company would desire to have the whole of the capital stock and accumulated funds of the Fire Insurance Company invested in the business of exchange, discount, and general banking.

It is true that so long as both the banking and the insurance business is prosperous, the company that is allowed to do the double business upon one and the same capital, will make double profit;

but experience seems clearly to indicate that it is safest and best for the general public good not to subject the insurance capital and funds to the hazards of banking; and not to subject the great banking interests of the country to the hazards of Fire and Marine Insurance.

By the general insurance laws of Massachusetts, before quoted, it is provided, that "Insurance Companies chartered by this State, now doing business, shall not be compelled to change any investment that was originally legally made." Although there is no similar provision in the general insurance laws of this State, I have not hesitated, when asked by officers of the different companies whether they would be required to change their investments at once and at great sacrifice, to say, in reply, that they would not be required to abruptly change investments originally made legally, but that they would be at once required to comply with the spirit of the law, and satisfy this office of their intention to comply strictly with its requirements, as soon as it could well be done without serious pecuniary loss on their part. When the general insurance laws were approved on the 12th of March last, nearly all the Fire and Marine Insurance Companies organized previously by authority of the laws of this State, found their business in many respects made illegal. I did not enter upon the duties of this office until very nearly the middle of the year; and after finding that there was no special danger to policy-holders from the companies then doing business, these companies were allowed time to conform their new business to the new laws. A very large majority of the Companies have done this, and I think all the stock companies can do so without material trouble or detriment to their interests.

But there are *two purely Mutual Companies* to which the change would seem to be more difficult. One of these, "The Kentucky and Louisville Mutual Insurance Company," I believe to be exempt from compliance with the requirements of the general insurance laws recently passed, because its charter bears date previous to 1856, and is not repealable except by direct action of the Legislature to that effect.

The other purely Mutual Fire Insurance Company, "The Kentucky Farmers' Mutual Insurance Company," was chartered in 1858, and therefore comes within the provisions of the act of February 14th, 1856, by which it is declared that "all charters and grants of or to corporations shall be subject to amendment or repeal at the

will of the Legislature, unless a contrary intent be therein plainly expressed."

The charter of this Company contains the proviso that it is subject to amendment or repeal; it is therefore plainly subject to the requirements of the laws passed March 12th, 1870, and must therefore provide the requisite guarantee of $100,000 as prescribed—or cease to do insurance business.

The business of this Company is well conducted; but I am not prepared to recommend the passage of an act exempting it from the provisions of the general insurance laws, which requires that all insurance companies shall furnish to policy-holders a guarantee capital of $100,000.

To exempt this company from compliance with the general laws would open the door to special legislation; and if the Legislature at this session authorize one purely Mutual Insurance Company to do business in this State, it may feel constrained to authorize others to do the same. The precedent is bad, not only because it will re-establish *special*, instead of general laws upon this important subject, but at one step we revert to the system of Mutual Fire Insurance, which permitted the State so recently to be overrun with Agents of irresponsible cheap Mutual Insurance Companies.

The following extract from the official report of the Superintendent of the Insurance Department of the State of New York, embodies in forcible and pertinent language what I believe to be the received opinion amongst the best informed insurance men in reference to the necessity for general, in preference to special, laws upon the subject of insurance. The Superintendent says, in a report dated 1870: "Over legislation upon insurance, as upon all subjects, is to be deprecated; but the general laws should be perfected, and 'special legislation' discouraged."

In conclusion, I have respectfully to say, that I hope that whatever laws are enacted, they may be general in their application and character; and that, before the general laws passed at the last session are modified or amended, time be allowed for the purpose of seeing at least the results of one year's work from this office, as organized under these laws.

Very respectfully,

GUSTAVUS W. SMITH,
Insurance Commissioner.

Ordered, That said report be printed, and referred to the Committee on Insurance.

Mr. Phister, from the Committee on the Judiciary, to whom was referred a bill from the Senate, entitled

An act for the benefit of Trustees of the Jury Fund in this Commonwealth,

Reported the same without amendment, and with the expression of opinion that said bill ought not to pass.

And the question being put, "Shall the bill be read a third time?" it was decided in the negative.

And so said bill was disagreed to.

Mr. Davidson, from the Committee on the Court of Appeals, to whom was referred a bill from the Senate, entitled

An act concerning the Court of Appeals,

Reported the same without amendment.

Ordered, That the further consideration of said bill be postponed to, and made the special order of the day for, Friday, the 27th inst., at 10½ o'clock, A. M.

Mr. Kendall, from the Committee on Revised Statutes, who were directed to prepare and bring in the same, reported

A bill for the benefit of the judge of the city court of Louisville.

Which was read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Phister then moved to reconsider the vote by which said bill was passed.

And the question being taken on said motion, it was decided in the affirmative.

And so said vote was reconsidered.

Mr. Phister also moved to reconsider the vote by which said bill was ordered to be read a third time, and the reading thereof dispensed with.

And the question being taken thereon, it was decided in the affirmative.

On motion of Mr. Simmons,

Ordered, That said bill be recommitted to the Committee on Revised Statutes.

A message was received from the Senate, announcing that they had disagreed to a bill, which originated in the House of Representatives, entitled

An act for the benefit of Green A. Dunham, of Whitley county.

That they had passed bills, which originated in the House of Representatives, of the following titles, viz:

An act for the benefit of Philip Cassity, present sheriff of Martin county.

An act concerning the police court of the town of Winchester, Clark county.

And that they had passed bills of the following titles, viz:

1. An act for the benefit of the Danville and Pleasant Hill Turnpike Company.

2. An act relating to the sale of spirituous, malt, or vinous liquors in Owenton, and within one mile thereof.

3. An act to amend the charter of the Salt River and Dry Branch Turnpike Road Company.

4. An act to amend the charter of the town of Harrodsburg.

Which were read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That they be referred—the 1st and 3d to the Committee on Internal Improvement; the 2d to the Committee on Religion; and the 4th to the Committee on Corporate Institutions.

On motion of Mr. Phister, the special order for this hour, viz:

A bill to increase the salaries of the judges of the circuit courts, criminal courts, courts of common pleas, and of the chancellor of the Louisville chancery court,

Was postponed to, and made the special order of the day for, tomorrow, at 10¼ o'clock, A. M.

The House then took up from the orders of the day a bill from the Senate, entitled

An act for the benefit of certain turnpike roads.

Ordered, That said bill be read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Bills from the Senate were reported, without amendment, by the committees to whom they had been referred, of the following titles, viz:

By Mr. G. W. Anderson, from the Committee on Corporate Institutions—

An act to incorporate the town of Earlington.

By same—

An act to amend the charter of the Owenton and Ross Mill Turnpike Road Company.

By same—

An act to amend the charter of the Flemingsburg and Upper Blue Lick Turnpike Road Company.

By same—

An act for the benefit of the New Liberty and Owenton Turnpike Road Company.

By Mr. Thurmond, from the Committee on County Courts—

An act to amend an act, entitled "An act to authorize the Fulton county court to levy and collect a tax in said county to repair the court-house in said county," approved January 26, 1870.

By Mr. Chrisman, from the Committee on Revised Statutes—

An act to amend an act approved 20th December, 1865, entitled "An act to amend section 1, article 3, chapter 47, of the Revised Statutes."

By Mr. Cooper, from the Committee on Religion—

An act to authorize the sale of the Presbyterian church buildings, parsonage, and lots belonging to said church, in the town of Greenville.

By Mr. Pettus, from the Committee on Internal Improvement—

An act to incorporate the Big Sandy Navigation and Manufacturing Company.

Ordered, That said bills be read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Bills were reported by the several committees, who were directed to prepare and bring in the same, of the following titles, viz:

By Mr. Corbett, from the Committee on Propositions and Grievances—

A bill for the benefit of Martin S. Price, of Logan county.

By same—

A bill for the benefit of A. W. Nickell, late sheriff of Johnson county, and his securities.

By same—

A bill declaring Chadwick's creek, in Boyd county, a navigable stream.

By Mr. Phister, from the Committee on the Judiciary—

A bill to incorporate the Knights of the Order of Saint Crispin.

By same—

A bill for the benefit of John P. Norvall, of Nicholas county.

By Mr. G. W. Anderson, from the Committee on Corporate Institutions—

A bill for the benefit of Caseyville, in Union county.

By same—

A bill to incorporate the town of Canmer, in the county of Hart.

By same—

A bill to amend the charter of the town of Gratz, in Owen county.

By same—

A bill to amend the charter of the town of New Concord, in Calloway county.

By same—

A bill to incorporate the Charity Hospital School of Medicine.

By Mr. Waring, from the same committee—

A bill to amend the charter of the town of Allensville, in Todd county.

By same—

A bill to amend an act, entitled "An act to incorporate the Concord and Tollsboro Turnpike Road Company."

By Mr. Cogar, from the Committee on Internal Improvement—

A bill to create an additional magistrates' district and voting precinct in Jessamine county.

By Mr. Weller, from the same committee—

A bill to amend the charter of the Springfield, Pleasant Run, and Mackville Turnpike Road Company.

By same—

A bill to amend an act, entitled "An act to incorporate the Duncansville and Chaplin Turnpike Road Company."

By Mr. Combs, from the same committee—

A bill declaring certain tributaries of the Kentucky river navigable streams.

By Mr. Silvertooth, from the Committee on Circuit Courts—

A bill to establish a court of common pleas in Caldwell county.

By Mr. Duvall, from the Committee on County Courts—

A bill creating an additional justices' district in the county of Meade.

By same—

A bill providing a commissioner of county claims for Hart county.

By Mr. Thurmond, from the same committee—

A bill to repeal part of an act, entitled "An act to authorize the Jackson county court to levy and collect a tax to build a court-house."

Which were read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Leave was given to bring in the following bills, viz:

On motion of Mr. Hogan—

1. A bill to amend and extend the corporate limits of the town of Warsaw, and to reduce and consolidate into one all laws pertaining to said town.

On motion of same—

2. A bill establishing an additional magistrates' and voting district at Sparta, in Gallatin county.

On motion of Mr. Hindman—

3. A bill for the benefit of school districts Nos. 24 and 40, in Adair county.

On motion of Mr. E. Anderson—

4. A bill for the benefit of George P. Lyttle, of Graves county.

On motion of Mr. Bowen—

5. A bill to authorize the city council of the city of Frankfort to take stock in the Frankfort and Flat Creek Turnpike Road Company.

On motion of Mr. Price—

6. A bill for the organization of public schools in the city of Lexington.

On motion of same—

7. A bill to incorporate the Lexington Water-works Company.

On motion of Mr. Davidson—

8. A bill for the benefit of the county court of Johnson county.

On motion of Mr. Parks—

9. A bill to change the name of a precinct in Jefferson county.

On motion of Mr. Wight—

10. A bill to amend the charter of the Shelby Railroad Company.

On motion of Mr. Pope—

11. A bill to amend the charter of the German Insurance Company of Louisville.

On motion of Mr. Wilson—

12. A bill to repeal the 2d section of an act, entitled "An act to amend an act, entitled 'An act to amend the several acts in relation to peddlers,'" approved March 4, 1856.

On motion of Mr. Furber—

13. A bill to amend an act, entitled "An act to authorize the judge of the Kenton quarterly court to appoint a special agent to execute process."

On motion of Mr. Waring—

14. A bill authorizing the county court of Greenup county to subscribe to, and take stock in, turnpike road companies in said county, and to levy and collect tax to pay the same.

On motion of same—

15. A bill to charter the Ashland, Greenupsburg, and Vanceburg Turnpike Road Company.

On motion of Mr. DeMoss—

16. A bill to authorize the increase of the bonded debt, and to otherwise amend the charter of the city of Dayton, in Campbell county.

Ordered, That the Committee on Corporate Institutions prepare and bring in the 1st; the Committee on County Courts the 2d, 8th, 13th,

and 14th; the Committee on Education the 3d and 6th; the Committee on Propositions and Grievances the 4th, 9th, and 10th; the Committee on Internal Improvement the 5th and 15th; the Committee on the Judiciary the 7th; the Committee on Banks the 11th; the Committee on Revised Statutes the 12th; and the Committee on Ways and Means the 16th.

And then the House adjourned.

WEDNESDAY, JANUARY 25, 1871.

A message was received from the Senate, announcing that they had concurred in the amendments proposed by the House to bills, which originated in the Senate, of the following titles, viz:

An act for the protection of livery-stable keepers in this Commonwealth.

An act for the benefit of John R. Sampson.

And that they had passed bills, which originated in the House of Representatives, of the following titles, viz:

An act to provide for the establishment of the line between Franklin and Owen counties.

An act to amend an act authorizing the presiding judge of Fayette county to appoint a treasurer to serve during his term.

An act to authorize the county judge of Ohio county to sign certain orders, and to legalize the same.

An act to amend an act, entitled "An act to incorporate Cave Hill Cemetery."

An act to authorize the legal voters of the county of Lee to locate the county seat of said county by a vote.

With an amendment to the last named bill.

And that they had passed bills of the following titles, viz:

1. An act for the benefit of common school district No. 36, in Jefferson county.

2. An act for the benefit of school districts Nos. 8 and 9, in McLean county.

3. An act to incorporate the Louisville Railway Transfer Company, and conferring certain powers in relation thereto on the Louisville, Cincinnati, and Lexington, and Louisville and Nashville Railroad Companies.

Which were read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That they be referred—the 1st and 2d to the Committee on Education, and the 3d to the Committee on Railroads.

The House took up the amendment proposed by the Senate to a bill, which originated in the House of Representatives, entitled

An act to authorize the legal voters of the county of Lee to locate the county seat of said county by a vote.

Said amendment was concurred in.

Mr. McKee presented the petition of certain citizens of this State, and also of the incorporators for Rhea county, Tennessee, of the Louisville and Chattanooga Grand Trunk Railroad Company, asking legislation in favor of the proposed Cincinnati Southern Railway.

Which were received.

Mr. McKee also presented an extract from the proceedings of a meeting of the Board of Trade of the city of Chattanooga upon the same subject, and in favor thereof.

Which was read.

According to order, the House took up for further consideration a bill, entitled

A bill to increase the salaries of the judges of the circuit courts, criminal courts, courts of common pleas, and of the chancellor of the Louisville chancery court.

The question was taken on the adoption of the amendment proposed by Mr. Blue, and it was decided in the negative.

And so said amendment was rejected.

Mr. Wight then moved to reconsider the vote by which the amendment offered by Mr. Blue was rejected.

And the question being taken on the motion of Mr. Wight, it was decided in the negative.

And so the House refused to reconsider said vote.

Mr. Chrisman also moved an amendment to said bill, which was rejected.

Ordered, That said bill, as amended, be engrossed and read a third time.

Said bill being engrossed, was read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That hereafter the judges of the circuit courts, criminal courts, and courts of common pleas, and the chancellor of the Louisville chancery court, shall each receive an annual salary of three thousand dollars, to be paid as salaries are now paid: *Provided*, That the increase in salaries to the judges of this Commonwealth is to take effect upon the condition that the allowance for judges *pro tem.* in any circuit, now authorized by law to be paid out of the Treasury of the State, be taken out of, and deducted from, the salary herein allowed.

§ 2. This act shall take effect and be in force from and after its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Bowen and Wight, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Bunch),	Joseph M. Davidson,	James Kilgore,
William Adair,	J. C. DeMoss,	Francis M. Lowe,
Silas Adams,	N. C. Dille,	George R. McKee,
Geo. W. Anderson,	H. G. Duerson,	James A. McKenzie,
Ervin Anderson,	John Duvall,	Thomas H. Moss,
J. M. Atherton,	M. W. Ferguson,	Edward Myall,
Wm. F. Barret,	James P. Ford,	Joshua B. Parks,
P. W. Barron,	W. W. Frazer,	E. A. Pearson,
John W. Blue,	John N. Furber,	Elijah C. Phister,
D. M. Bowen,	Samuel G. Geisler,	Alfred T. Pope,
Samuel W. Brents,	Robert T. Glass,	Douglass L. Price,
Jesse D. Bright,	Clinton Griffith,	William S. Richart,
E. Burr,	Ashton P. Harcourt,	George W. Riddle,
William B. Caldwell,	T. H. Hays,	George W. Silvertooth,
James E. Cantrill,	Jeff. Holeman,	Robert Simmons,
Landon Carter,	William Irwin, sr.	R. K. Smith,
James R. Claybrook,	George M. Jessee,	Richard M. Spalding,
A. T. Coffman,	Alfred M. Jones,	George W. Terrell,
Thomas T. Cogar,	John W. Kendall,	J. L. Waring—58.
R. L. Cooper,		

Those who voted in the negative, were—

J. F. Baugh,	Wm. M. Hamlin,	William J. McElroy,
Robert C. Beauchamp,	Ben. Hardin,	Mason Morris,
Howell Brewer,	J. B. Hays,	G. W. Quick,
J. S. Chrisman,	A. J. Hendrickson,	P. M. Thurmond,
I. B. Combs,	J. L. Hibbs,	W. J. Webb,

Thomas H. Corbett,	James R. Hindman,	A. D. Weller,
F. R. Davis,	Elijah Hogan,	John F. Wight,
Asbury Dawson,	Elijah Hurst,	L. Wilson,
D. E. Downing,	J. J. McAfee,	John Wolf,
L. D. Good,	James B. McCreary,	Hugh H. York—30.

Resolved, That the title of said bill be as aforesaid.

Mr. Glass then moved to reconsider the vote by which said bill was passed.

Mr. Hays moved to lay the motion of Mr. Glass on the table.

And the question being taken on the motion of Mr. Hays, it was decided in the affirmative.

And so the motion to reconsider was laid on the table.

Mr. Quick, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the Senate, of the following titles, viz:

An act to authorize the county court of Knox county to issue bonds to raise money to erect a court-house and other public buildings in said county;

An act legalizing certain proceedings of the Owen county court;

An act legalizing the sale of the old jail lot in the town of Owenton;

An act to authorize the Owen county court to subscribe stock in the Owenton and Stamping Ground Turnpike Road Company;

An act to authorize the Mercer county court to provide for the payment of the indebtedness of said county;

An act to incorporate the Big Sandy Navigation and Manufacturing Company;

An act to amend the charter of the Bardstown and Bloomfield Turnpike Road Company;

An act to repeal an act, entitled "An act to prohibit the sale or vending of vinous, spirituous, or malt liquors in the town of Blandville, in Ballard county," approved March 8, 1870;

And also enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act for the benefit of Philip Cassity, present sheriff of Martin county;

An act concerning the police court of the town of Winchester, Clark county;

And had found the same truly enrolled.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Quick inform the Senate thereof.

Mr. Phister, from the Committee on the Judiciary, to whom was recommitted a bill from the Senate, entitled

An act to authorize the city of Newport to supply itself and others with pure water, and to establish water-works,

Reported the same with amendments thereto.

Said amendments were adopted.

Ordered, That said bill, as amended, be read a third time.

Said bill was then read a third time.

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

A message was received from the Governor by Mr. Samuels, Assistant Secretary of State, announcing that he had approved and signed enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to amend an act, entitled "An act to incorporate the Richmond and Lexington Railroad Company," approved March 2, 1867.

An act declaring Bullskin creek, in Clay county, a navigable stream, from its mouth to the forks of said creek.

An act for the benefit of Thomas D. Grundy, of McCracken county.

An act to amend the charter of the Union Mills Turnpike Road Company.

An act for the benefit of the Cynthiana, Paddy's Run, and Lair's Station Turnpike Road Company.

An act for the benefit of the Cynthiana and Connersville Turnpike Road Company.

An act to amend an act, entitled "An act to incorporate the Dividing Ridge Turnpike Road Company, in Mason county," approved March 9, 1868.

An act to amend the charter of the town of New Market, in Marion county.

An act for the benefit of Wm. J. Mayo and Tolbert Akers, securities for Alexander W. Cecil, late sheriff of Floyd county.

An act to amend and reduce into one the several acts in relation to the road law of Greenup county.

An act to authorize the county court of Todd county to levy a tax to discharge the indebtedness of said county.

An act in relation to the fees of sheriffs.

An act for the benefit of the Paris and Clintonville Turnpike Road Company.

An act to amend the charter of the Eminence and Ballardsville Turnpike Road Company.

An act to amend the charter of the Owingsville and Wyoming Turnpike Road Company.

An act authorizing the county court of Perry county to issue bonds to pay off the present indebtedness of said county.

The House then, according to order, took up and proceeded with the further consideration of a bill, entitled

A bill to authorize the trustees of the Cincinnati Southern Railway to acquire the right of way, and to extend a line of railway through certain counties in this Commonwealth, and the several amendments offered thereto.

The question was then taken on the adoption of the following amendment offered by Mr. McCreary, viz:

Add to said bill, before the enacting clause, these words: "The General Assembly reserves the right to change, alter, or modify this act, and to regulate, by general laws, the rates of charges for the transportation of freight and passengers on said railway."

And it was decided in the affirmative.

The question was then taken on the adoption of the following amendment offered by Mr. McCreary, viz:

Amend section 1st, by adding to it the following: "*Provided*, That the Governor of the Commonwealth of Kentucky shall, immediately after the passage of this act, and every two years thereafter, appoint five citizens of Kentucky, to be confirmed by the Senate, who shall act as trustees on the part of the State of Kentucky; and each of them shall have a vote equal to the vote of each one of said Cincinnati trustees, or their successors, in all matters pertaining to said line of railway and the management thereof; and before the right to use and operate any portion of said line of railway shall be rented or leased to any person or company or corporation, the terms and conditions of leasing and operating it, and the person or company or corporation to whom it is proposed to be leased, must be approved by a majority of both the said Kentucky trustees and Cincinnati trustees; and after the completion of the whole line of said railway, any terms and conditions which may be fixed and provided by the council of Cincinnati for the grant or lease of the right to use and operate said line of railway, and the person or company or corporation to whom it is proposed to be granted, must be approved by a majority of said ten trustees before said lease or grant shall be made."

And it was decided in the negative.

The yeas and nays being required thereon by Messrs. Bowen and Cooper, were as follows, viz:

Those who voted in the affirmative, were—

P. W. Barron,	I. B. Combs,	George M. Jessee,
Robert C. Beauchamp,	R. L. Cooper,	James B. McCreary,
Howell Brewer,	D. E. Downing,	Elijah C. Phister,
E. Burr,	W. W. Frazer,	G. W. Quick,
William B. Caldwell,	Clinton Griffith,	P. M. Thurmond,
Thomas T. Cogar,	J. L. Hibbs,	Hugh H. York—18.

Those who voted in the negative, were—

Mr. SPEAKER (Bunch),	John Duvall,	J. J. McAfee,
William Adair,	M. W. Ferguson,	William J. McElroy,
Silas Adams,	James P. Ford,	George R. McKee,
George W. Anderson,	John N. Furber,	James A. McKenzie,
Ervin Anderson,	Samuel G. Geisler,	Thomas H. Moss,
J. M. Atherton,	Robert T. Glass,	Edward Myall,
William F. Barret,	L. D. Good,	Joshua B. Parks,
J. F. Baugh,	William M. Hamlin,	E. A. Pearson,
John W. Blue,	Ashton P. Harcourt,	Alfred T. Pope,
D. M. Bowen,	J. B. Hays,	Douglass L. Price,
Jesse D. Bright,	T. H. Hays,	William S. Richart,
James E. Cantrill,	A. J. Hendrickson,	George W. Riddle,
Landon Carter,	James R. Hindman,	George W. Silvertooth,
J. S. Chrisman,	Elijah Hogan,	Robert Simmons,
James R. Claybrook,	Jeff. Holeman,	R. K. Smith,
Thomas H. Corbett,	Elijah Hurst,	Geo. W. Terrell,
Joseph M. Davidson,	William Irwin, sr.,	W. J. Webb,
F. R. Davis,	Alfred M. Jones,	A. D. Weller,
Asbury Dawson,	John W. Kendall,	John F. Wight,
J. C. DeMoss,	James Kilgore,	L. Wilson,
N. C. Dille,	Francis M. Lowe,	John Wolf—64.
H. G. Duerson,		

And so said amendment was rejected.

Mr. McCreary also offered the following amendment, viz:

Amend same bill further by inserting in lieu of section 2d this: "For the purpose of examining and surveying routes for the said line of railway, the said trustees may, subject to liability for the actual damage done, enter upon any land in the counties of Josh Bell, Knox, Whitley, Laurel, Clay, Owsley, Jackson, Estill, Madison, Clark, Bourbon, Harrison, Pendleton, Campbell, Kenton, Boone, Gallatin, Grant, Owen, Scott, Franklin, Anderson, Woodford, Fayette, Jessamine, Mercer, Garrard, Boyle, Lincoln, Rockcastle, Casey, Pulaski, Russell, Wayne, Clinton, Cumberland, Monroe, Metcalfe, and Adair, and after examining and surveying said routes, the said trustees may select a route for said railway, commencing at a point where the said line of railway will cross the southern boundary of the line of this Commonwealth, and running thence through the counties of Wayne, Whitley, Knox, Pulaski, Laurel, Clay, Jackson, Rockcastle, and Madison, or either of them, to Lexington or Paris, or both; and thence to the northern boundary line of Kentucky and across the Ohio river, so as

to connect with the same line of railway in the State of Ohio. A copy of the survey and location of such route, and any alteration therein, shall be filed in the county clerk's office of the counties through which the said railway runs, within one year after such location or alteration."

Mr. McKenzie moved to lay said amendment on the table.

And the question being taken on the motion of Mr. McKenzie, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Barret and Parks, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Bunch),	F. R. Davis,	William J. McElroy,
William Adair,	Asbury Dawson,	James A. McKenzie,
G. W. Anderson,	George R. Diamond,	Mason Morris,
J. M. Atherton,	D. E. Downing,	Thomas H. Moss,
Wm. F. Barret,	M. W. Ferguson,	Joshua B. Parks,
D. M. Bowen,	W. W. Frazer,	E. A. Pearson,
Samuel W. Brents,	Clinton Griffith,	Elijah C. Phister,
Wm. B. Caldwell,	Wm. M. Hamlin,	Alfred T. Pope,
A. T. Coffman,	Ashton P. Harcourt,	George W. Riddle,
Thomas T. Cogar,	J. B. Hays,	R. M. Spalding,
I. B. Combs,	T. H. Hays,	P. M. Thurmond,
R. L. Cooper,	Wm. Irwin, sr.,	John F. Wight—36.

Those who voted in the negative, were—

Silas Adams,	H. G. Duerson,	James Kilgore,
Ervin Anderson,	John Duvall,	Francis M. Lowe,
P. W. Barron,	James P. Ford,	J. J. McAfee,
J. F. Baugh,	John N. Furber,	James B. McCreary,
Robert C. Beauchamp,	Samuel G. Geisler,	George R. McKee,
John W. Blue,	Robert T. Glass,	Edward Myall,
Howell Brewer,	L. D. Good,	Douglass L. Price,
Jesse D. Bright,	Ben. Hardin,	G. W. Quick,
E. Burr,	A. J. Hendrickson,	Wm. S. Richart,
James E. Cantrill,	J. L. Hibbs,	G. W. Silvertooth,
Landon Carter,	James R. Hindman,	Robert Simmons,
J. S. Chrisman,	Elijah Hogan,	George W. Terrell,
James R. Claybrook,	Jeff. Holeman,	W. J. Webb,
Thomas H. Corbett,	Elijah Hurst,	A. D. Weller,
Joseph M. Davidson,	George M. Jessee,	L. Wilson,
J. C. DeMoss,	Alfred M. Jones,	John Wolf,
N. C. Dille,	John W. Kendall,	Hugh H. York—51.

And so the House refused to lay said amendment on the table.

Mr. McCreary then, at 1 o'clock, P. M., moved that the House do now adjourn.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Myall and Chrisman, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Bunch),	George R. Diamond,	James B McCreary,
Samuel W. Brents,	H. G. Duerson,	Mason Morris,
Landon Carter,	M. W. Ferguson,	Thomas H. Moss,
A. T. Coffman,	W. W. Frazer,	Joshua B. Parks,
Thos. T. Cogar,	Robert T. Glass,	E. A. Pearson,
I. B. Combs,	Clinton Griffith,	G. W. Quick—18.

Those who voted in the negative, were—

William Adair,	N. C. Dille,	J. J. McAfee,
Silas Adams,	D. E. Downing,	Wm. J. McElroy,
G. W. Anderson,	John Duvall,	George R. McKee,
Ervin Anderson,	James P. Ford,	James A. McKenzie,
J. M. Atherton,	John N. Furber,	Edward Myall,
W. F. Barret,	Samuel G. Geisler,	Elijah C. Phister,
P. W. Barron,	L. D. Good,	Alfred T. Pope,
J. F. Baugh,	Ashton P. Harcourt,	Douglass L. Price,
Rob't C. Beauchamp,	Ben Hardin,	William S. Richart,
John W. Blue,	J. B. Hays,	George W. Riddle,
D. M. Bowen,	T. H. Hays,	George W. Silvertooth,
Howell Brewer,	A. J. Hendrickson,	Robert Simmons,
Jesse D. Bright,	J. L. Hibbs,	R. K. Smith,
E. Burr,	James R. Hindman,	R. M. Spalding,
William B. Caldwell,	Elijah Hogan,	Geo. W. Terrell,
James E Cantrill,	Jeff. Holeman,	P. M. Thurmond,
J. S. Chrisman,	Elijah Hurst,	J. L. Waring,
James R. Claybrook,	William Irwin, sr.,	W. J. Webb,
R. L. Cooper,	George M. Jessee,	A. D. Weller,
Thomas H. Corbett,	Alfred M. Jones,	John F. Wight,
Joseph M. Davidson,	John W. Kendall,	L. Wilson,
F. R. Davis,	James Kilgore,	John Wolf,
Asbury Dawson,	Francis M. Lowe,	Hugh H. York—70.
J. C. DeMoss,		

And so the House refused to adjourn at that hour.

The question was then taken on the adoption of the last amendment offered by Mr. McCreary, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. McKenzie and McCreary, were as follows, viz:

Those who voted in the affirmative, were—

William Adair,	M. W. Ferguson,	Thomas H. Moss,
Wm. F. Barret,	W. W. Frazer,	Joshua B. Parks,
D. M. Bowen,	J. L. Hibbs,	Elijah C. Phister,
Samuel W. Brents,	Elijah Hurst,	G. W. Quick,
I. B. Combs,	William Irwin, sr.,	Richard M. Spalding,
R. L. Cooper,	James B. McCreary,	Hugh H. York—20.
George R. Diamond,	James A. McKenzie,	

Those who voted in the negative, were—

Mr. SPEAKER (Bunch),	J. C. DeMoss,	James Kilgore,
Silas Adams,	N. C. Dille,	Francis M. Lowe,
George W. Anderson,	D. E. Downing,	J. J. McAfee,
Ervin Anderson,	H. G. Duerson,	William J. McElroy,
J. M. Atherton,	John Duvall,	George R. McKee,
P. W. Barron,	James P. Ford,	Mason Morris,
J. F. Baugh,	John N. Furber,	Edward Myall,
Robert C. Beauchamp,	Samuel G. Geisler,	E. A. Pearson,
John W. Blue,	Robert T. Glass,	Alfred T. Pope,
Howell Brewer,	L. D. Good,	Douglass L. Price,
Jesse D. Bright,	William M. Hamlin,	Wm. S. Richart,
E. Burr,	Ashton P. Harcourt,	George W. Riddle,
William B. Caldwell,	Ben. Hardin,	Geo. W. Silvertooth,
James E. Cantrill,	J. B. Hays,	Robert Simmons,
Landon Carter,	T. H. Hays,	R K Smith,
J. S. Chrisman,	A. J. Hendrickson,	George W. Terrell,
James R. Claybrook,	James R. Hindman,	P. M. Thurmond,
A. T. Coffman,	Elijah Hogan,	W. J. Webb,
Thomas H. Corbett,	Jeff. Holeman,	A. D. Weller,
Joseph M. Davidson,	George M. Jessee,	John F. Wight,
F. R. Davis,	Alfred M. Jones,	L. Wilson,
Asbury Dawson,	John W. Kendall,	John Wolf—66.

And so said amendment was rejected.

Mr. McKee then offered an amendment to the bill, which was adopted.

Mr. Harcourt then offered a substitute, by way of amendment, for said bill; but the Speaker, on the point of order being raised, decided said substitute to be out of order, and that the same could not be entertained by the House.

Ordered, That said bill, as amended, be engrossed and read a third time.

Said bill being engrossed, was read a third time as follows, viz:

WHEREAS, It is represented to this General Assembly that Miles Greenwood, Richard M. Bishop, William Hooper, Philip Heidelbach, and Edward A. Ferguson, of the city of Cincinnati, in the State of Ohio, were appointed, under and by virtue of an act of the General Assembly of the said State of Ohio, passed on the fourth day of May, in the year eighteen hundred and sixty-nine, a board of trustees, with authority to borrow a fund not to exceed ten millions of dollars, and to issue bonds therefor in the name of said city of Cincinnati, under the corporate seal thereof, of which said fund the said Miles Greenwood, Richard M. Bishop, William Hooper, Philip Heidelbach, and Edward A. Furguson, and their successors, are to be trustees, with power to expend the same in procuring the right to construct, and in constructing, a single or double-track railway, with all the usual appendages, including a line of telegraph, between the

said city of Cincinnati and the city of Chattanooga, in the State of Tennessee, to be called and known as the Cincinnati Southern Railway; and with power and capacity for the purposes aforesaid to make contracts, appoint, employ, and pay officers and agents, and to acquire, hold, and possess all the necessary real and personal property and franchises, either in the said State of Ohio or in any other State in which the said line of railway may extend, and with other powers in said act expressed; and whereas, the said line of railway cannot be constructed, nor the powers of the said board of trustees be exercised within the Commonwealth of Kentucky, without the consent of the General Assembly thereof. The General Assembly reserves the right to change, alter, or modify this act, and to regulate, by general laws, the rates of charges for the transportation of freights and passengers on said railway; therefore,

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the said board of trustees, namely: Miles Greenwood, Richard M. Bishop, William Hooper, Philip Heidelbach, and Edward A. Ferguson, and their successors, by the name of the Trustees of the Cincinnati Southern Railway, be, and they are hereby, authorized to extend, construct, and maintain, within the Commonwealth of Kentucky, the said line of railway, with a single or double track, with all the usual appendages, including a line of telegraph, and to exercise the powers vested in them under and by virtue of said act of the General Assembly of the State of Ohio, subject to the provisions and restrictions in this act provided.

§ 2. For the purpose of examining and surveying routes for the said line of railway, the said trustees may, subject to liability for the actual damage done, enter upon any land in the counties of Josh Bell, Knox, Whitley, Laurel, Clay, Owsley, Jackson, Estill, Madison, Clark, Bourbon, Harrison, Pendleton, Campbell, Kenton, Boone, Gallatin, Grant, Owen, Scott, Franklin, Anderson, Woodford, Fayette, Jessamine, Mercer, Garrard, Boyle, Lincoln, Rockcastle, Casey, Pulaski, Russell, Wayne, Clinton, Cumberland, Monroe, Metcalfe, and Adair, and select from the routes so examined and surveyed a route for the same, commencing at a point to be selected by the said trustees where the said line of railway will cross the southern boundary of this Commonwealth, and running through either of said counties to the northern boundary line thereof, and across the Ohio river, so as to connect with the same line of railway in the State of Ohio. A copy of the survey and location of such route, and any alteration therein, shall be filed in the county clerk's office of the counties through which the said railway runs, within one year after such location or alteration.

§ 3. For the purpose of constructing and maintaining said line of railway and its appendages, the said trustees may acquire, by purchase or gift, so much land as may be necessary to construct, complete, and operate their railway and its appendages; and it shall be lawful for them to apply to any circuit or county court, of any county through which it may be proposed said railway may pass, and for said court to appoint a competent engineer, and two disinterested commissioners, to examine the proposed route of said rail-

way, and to take from the proprietors of land over which it is to pass a grant of the right of way, of such width as may be desired, provided the same shall not exceed one hundred feet, and which may include the right to take stone, timber, earth or gravel for the construction of their road; and they, jointly and severally, shall have the power and authority to take and certify, under their hands and seals, the acknowledgment of such grants in fee or right of way, and the separate acknowledgment of married women, that the clerks of the several county courts have; and on the presentation of the grant and acknowledgment to the clerk of the county court where the land lies, it shall be the duty of the clerk to record the same as other deeds; and they shall be effectual against all persons according to their tenor: *Provided*, That when the parties are infants or absent, or refuse to make the grant, they shall hear any proof that may be adduced, and upon their own view proceed to value any land required for the right of way, or lands required for turn-outs or depot stations, or other appendages of said road, and also of earth, stone, gravel, or timber for the construction of said road, and report the value they have fixed, together with the evidence adduced, to the court appointing them, with a map or profile of the required ground; and said report shall be filed with the clerk of such court, and a summons issued to the proprietors to show cause against the confirmation of the report; but if the proprietor shall be out of the Commonwealth, the summons may be executed upon a known agent, if there be one in the county; and if there be no known agent in the county, then the court may order the appearance of the party at a named day, and appoint the clerk to give the proprietor notice by letter; and in case of there being infant, idiot, or lunatic proprietors, the court shall appoint *guardians at litem* for them, and cause the guardian to appear and act for them; and in case an absent defendant does not appear, the court shall appoint an attorney of the court to act for them. It shall be lawful for the trustees or any proprietor, or both, to traverse the report, and for the court to have the traverse tried in open court by a competent jury, on which trial the report and evidence returned as aforesaid shall be heard, together with such other proof as either party may produce. A new trial to the finding of the jury may be granted as in other cases. The report shall stand for hearing, as to any proprietor, when the process has been executed ten days, or after appearance of a proprietor on a day fixed for his appearance; and the court shall have jurisdiction to confirm the report, if no traverse is filed; and in case a traverse is filed, to have the same tried by a jury, and to give judgment upon the report or finding of the jury, and order the payment of the money, and the execution of the grant in accordance with the report; and to have the grant executed by a commissioner appointed by the court, and order them to be recorded in the county court clerk's office of the county; and either party may appeal from the judgment of the court.

§ 4. That the commissioners or jury, in estimating the value of the lands proposed to be taken, shall not be confined to the actual value, but may take into consideration any consequential damage

that may result to the adjoining proprietors of the land taken, and also the advantages and disadvantages the proposed road will be to such lands.

§ 5 That upon the affidavit of the engineer of said trustees, made and filed before the county judge of any county through which the proposed road may pass, that at any point more than one hundred feet is necessary properly to construct and operate said road, said trustees may acquire the right to so much land as may be necessary for that purpose, and in the manner provided in the preceding section.

§ 6. The said trustees may also, for the purpose of constructing and maintaining said line of railway, occupy or use any turnpike or plank road, street or other public way or ground, or any part thereof, upon such terms and conditions as may be agreed upon between said trustees and the municipal or other corporations, persons, or public authorities owning or having charge thereof; and in case it shall be necessary to provide a new road, street, or other ground, in place of that so used or occupied. they may acquire the necessary land and cause the necessary improvement to be made thereon. If no agreement can be made for the right to use or occupy any road, street, or ground that may be necessary, the said trustees may take and appropriate said rights in the manner provided in the next section: *Provided*, That, before the damages are assessed, the court may fix such terms and conditions as may be deemed best for the public interest.

§ 7. The appropriations authorized in the preceding section shall be made in the manner, and subject to the same right of traverse, writ of error, and appeal, provided by law for taking private property for the use of turnpike and plank road companies, except that the petition shall be filed in the circuit court of the county in which such turnpike, plank roads, streets, or other public ways or grounds, may lie; and if a continuous portion of the same, lying in more than one county, is sought to be used or occupied, the proceedings may be instituted in the circuit court of any county in which any part of such continuous portion may lie; and the damages shall be assessed for the whole of such portion, whether lying in the county wherein the proceedings are instituted or in other counties; the writ shall be directed to the sheriff of the county in which the petition is filed.

§ 8 If, during the construction or after the completion of said line of railway, it shall be found necessary by said trustees to change the location or grade, or to substitute other works or conveniences for those originally designed or constructed, or to provide additional side-tracks or other appendages for the proper management and operation of said railway, the said trustees may make such changes and provide such additional appendages, not departing from the general route originally selected by them; and, for the purpose aforesaid, may acquire or enter upon, take and appropriate, such lands or rights, as may be necessary, in the mode hereinbefore prescribed.

§ 9. Wherever, along the route selected by said trustees, there shall be a railroad already constructed, or rights of way or depot or

other grounds acquired therefor, which railroad, rights of way or grounds, can be adopted as part of the said line, it shall be lawful for the persons, company, or corporations owning the same, to sell to the said trustees the said railroad, rights of way or grounds, or any part thereof, upon such terms and conditions as may be agreed upon between the said trustees and such persons, or the president and directors of such company or corporation: *Provided*, That no such agreement shall be binding upon the stockholders of any such company or corporation unless a majority in interest of said stockholders, as shown by the books of such company or corperation, shall ratify the same in person or by proxy, at a meetiug to be held at the place of holding the election of directors, to be called after notice given of the object of the meeting, in the manner provided for notice of such elections.

§ 10. No permanent bridge or other work shall be so constructed as to materially interrupt or impair the navigation of such streams as are naturally navigable, or as have been declared to be so by law.

§ 11. And whereas, under and by virtue of the above mentioned act of the General Assembly of Ohio, the said board of trustees have power to borrow a fund for the construction of the said line of railway, not to exceed ten millions of dollars, and to issue bonds therefor in the name of the city of Cincinnati, under the corporate seal thereof, bearing interest at a rate not to exceed seven and three tenths per centum per annum, payable at such times and places and in such sums as shall be deemed best by said board; which bonds are to be signed by the president of said board, and attested by the city auditor of said city, who is to keep a register of the same, and are to be secured by a mortgage on the said line of railway and its net income, and by the pledge of the faith of said city and a tax which it is made the duty by said act of the council of said city annually to levy, sufficient, with said net income, to pay the interest, and provide a sinking fund for the final redemption of said bonds: *Be it further enacted*, That the respective holders of all such bonds are hereby declared to be entitled to hold, by way of mortgage, without any conveyance, the said line of railway and its appendages, and the net income thereof, and all the estate, right, title, and interest of the said city of Cincinnati, and of the said board of trustees therein, until the respective sums mentioned in said bonds, and the interest thereon, shall be fully paid, without any preference one above another, by reason of priority of date of any such bonds, or of the time when such holder became the owner of the same, or otherwise howsoever. The mortgage lien hereby given is to vest, as soon as rights of way or lands, whereon are to be placed the works and conveniences used in constructing, maintaining, or operating said railway, are acquired or taken, by virtue of the powers of the said trustees: *Provided*, That nothing herein contained shall affect the lien of any vendor upon lands sold to said trustees, nor be held to include the rolling stock used in operating said road: *And provided further*, That any mortgage that may be made by any lessee or lessees of said line of railway, or persons or company

operating it, on the rolling stock used in operating said road, shall not have precedence over, but shall be at all times inferior in priority to, judgments that may be obtained against them, in any county through which said road may run, for wages, materials, and supplies in running said road; for damages for breaches of contracts of affreightment, for injury, loss, or destruction of any property put on the cars on said road for transportation, or for any injury to persons or property occasioned in the running of said road.

§ 12. Said trustees shall survey and locate the route of said line of railway, and actually commence the construction thereof, within two years from the passage of this act; and shall continue such construction and complete the work within five years from its commencement, or within such further reasonable period, not exceeding ten years in all, as the Governor may grant upon satisfactory evidence that they are progressing with due diligence and in good faith. The gauge of said railway shall be five feet.

§ 13. The charge for transportation on said railway shall not exceed thirty-five cents per hundred pounds on heavy articles, and ten cents per cubic foot on articles of measurement for every hundred miles, and four cents a mile for every passenger.

§ 14. The taxes imposed on said line of railway and its appendages shall not exceed the rate imposed on other railroads within this State.

§ 15. The said trustees may sue and be sued, contract and take and hold property, and convey and transfer the same, by the name of the "Trustees of the Cincinnati Southern Railway." Conveyances by said trustees shall be signed by not less than three of them. They shall keep an office and an agent in the city of Covington, and an agent in every county through which said railway runs, upon whom service of process may be made. Actions against them or against the lessee or lessees of said line of railway, or persons or company operating it, other than those mentioned in sections ninety-three and ninety-four of the Code of Practice in Civil Cases, may be brought in any county in which any part of the said railway lies. When an action is rightly brought in any county, process may be issued to the county in which the office of the trustees is situate, and may be sent and returned by mail. And it is hereby made a condition upon which said trustees construct and maintain said railway within this Commonwealth, that they thereby waive the right to remove any case from any of the courts of this State to any of the courts of the United States, or to bring a suit in any of the courts of the United States against any citizen of this State; and a violation of this condition shall operate as a forfeiture of the rights, privileges, and immunities granted in this act.

§ 16. The person or company operating said railway, or any part thereof, as lessee or otherwise, shall receive and carry all passengers and freight coming or brought to it or them to be carried, and they shall make no discrimination against citizens of Kentucky in carrying freight or passengers on said line of railway, or any part thereof; nor shall they make any unjust discrimination in favor of through freights or passengers against way freights or passengers, or against

freights or passengers from other railroads connecting with said railway in this State; but they shall charge and receive only the same, and no more, for the same services in transporting freight or passengers going to or coming from one connecting road, that they charge or receive upon those going to or coming from any other. They shall keep an office and agent at some point along the line within this Commonwealth, and an agent in every county therein through which said railway runs, upon whom service of process may be made; and it is hereby made a condition upon which such persons or company may lease said railway, or any part thereof, or make any arrangement for operating the same, that such persons or company thereby waive the right to remove any case from any of the courts of this State to any of the courts of the United States, or to bring a suit in any of the courts of the United States against any citizen of this State; and a violation of such condition shall operate as a forfeiture of all rights acquired under such lease or arrangement; which forfeiture, and the other provisions of this section, this Commonwealth reserves the right to enforce by all necessary remedies and additional legislation.

§ 17. That the rights, privileges, and immunities granted by this act, shall continue for and during the period of ninety-nine years, and not longer, and shall, during that time, be subject to be declared forfeited by any court of competent jurisdiction, by an action instituted by the direction of the General Assembly in the name of the Commonwealth, for any failure on the part of the said trustees, their successors or assigns, to comply with the terms, stipulations, and obligations imposed herein for the benefit and security of this Commonwealth or the people thereof; and before entering on any lands in this State, said trustees shall accept the provisions of this act.

§ 18. The following words and expressions in this act shall have the several meanings hereby assigned to them, unless there be something in the context repugnant to such construction: that is to say, the word "lands" shall include not only lands and every estate therein, but also easements and franchises connected therewith. The word "trustees" shall mean the trustees for the time being appointed under the said act of the General Assembly of the State of Ohio, and shall include the said board of trustees and their successors. The expression "line of railway and its appendages" shall extend to and include the works and conveniences of the said railway, such as offices, stations, shops, sheds, depots, car-houses, and other buildings, bridges, viaducts, tunnels, arches, piers, abutments, embankments, approaches, ways, aqueducts, culverts, sewers, drains, wharves, yards, fences, telegraph posts and wires, tracks, turn-outs and turn-tables, and the rights of way and lands belonging to said trustees, whereon the said and other like works and conveniences used in constructing, maintaining, or operating said railway are placed. The expression "act of the General Assembly of the State of Ohio," shall mean the act of the General Assembly of the State of Ohio, entitled "An act relating to cities of the first

class, having a population exceeding one hundred and fifty thousand inhabitants," passed on the 4th day of May, in the year 1869. The expression "line of railway," shall mean the line of railway between the city of Cincinnati, in the State of Ohio, and city of Chattanooga, in the State of Tennessee.

§ 19. *Be it further enacted*, That this act shall take effect from and after its passage.

The question was then taken on the passage of said bill, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Barret and McKenzie, were as follows, viz:

Those who voted in the affirmative, were—

Silas Adams,	James P. Ford,	J. J. McAfee,
Ervin Anderson,	John N. Furber,	James B. McCreary,
P. W. Barron,	Samuel G. Geisler,	George R. McKee,
J. F. Baugh,	Robert T. Glass,	Edward Myall,
John W. Blue,	L. D. Good,	Douglass L. Price,
Howell Brewer,	A. J. Hendrickson,	William S. Richart,
Jesse D. Bright,	James R. Hindman,	George W. Silvertooth,
James E. Cantrill,	Elijah Hogan,	Robert Simmons,
Landon Carter,	Jeff. Holeman,	George W. Terrell,
J. S. Chrisman,	Elijah Hurst,	W. J. Webb,
Thomas H. Corbett,	Alfred M. Jones,	A. D. Weller,
Joseph M. Davidson,	John W. Kendall,	L. Wilson,
J. C. DeMoss,	James Kilgore,	John Wolf,
N. C. Dille,	Francis M. Lowe,	Hugh H. York—43.
John Duvall,		

Those who voted in the negative, were—

Mr. SPEAKER (Bunch),	F. R. Davis,	George M. Jessee,
William Adair,	Asbury Dawson,	William J. McElroy,
Geo. W. Anderson,	George R. Diamond,	James A. McKenzie,
J. M. Atherton,	D. E. Downing,	Mason Morris,
Wm. F. Barret,	H. G. Duerson,	Thomas H. Moss,
Robert C. Beauchamp,	M. W. Ferguson,	Joshua B. Parks,
D. M. Bowen,	W. W. Frazer,	E. A. Pearson,
Samuel W. Brents,	Clinton Griffith,	Elijah C. Phister,
E. Burr,	Wm. M. Hamlin,	Alfred T. Pope,
William B. Caldwell,	Ashton P. Harcourt,	G. W. Quick,
James R. Claybrook,	Ben. Hardin,	George W. Riddle,
A. T. Coffman,	J. B. Hays,	Richard M. Spalding,
Thomas T. Cogar,	T. H. Hays,	P. M. Thurmond,
I. B. Combs,	J. L. Hibbs,	John F. Wight—44.
R. L. Cooper,	William Irwin, sr.	

And so said bill was rejected.

And then the House adjourned.

THURSDAY, JANUARY 26, 1871.

Mr. Quick, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to amend an act, entitled "An act to incorporate Cave Hill Cemetery;"

An act to authorize the county judge of Ohio county to sign certain orders, and to legalize the same;

And also enrolled bills and a resolution, which originated in the Senate, of the following titles, viz:

An act for the protection of livery-stable keepers in this Commonwealth;

An act for the benefit of certain turnpike roads;

An act to amend the charter of the Flemingsburg and Upper Blue Lick Turnpike Road Company;

An act for the benefit of the New Liberty and Owenton Turnpike Road Company;

An act to amend the charter of the Owenton and Ross Mill Turnpike Road Company;

An act for the benefit of John R. Sampson;

An act to authorize the sale of the Presbyterian church buildings, parsonage, and lots belonging to said church, in the town of Greenville;

An act to amend an act, entitled "An act to authorize the Fulton county court to levy and collect a tax in said county to repair the court-house in said county," approved January 26, 1870;

An act to amend an act approved 20th December, 1865, entitled "An act to amend section 1, article 3, chapter 47, of the Revised Statutes;"

An act to authorize the city of Newport to supply itself and others with pure water, and to establish water-works;

Resolution in regard to pensioning soldiers of the war of 1812;

And had found the same truly enrolled.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Quick inform the Senate thereof.

Mr. Carter moved the following resolution, viz:

Resolved, That the State Librarian be, and he is hereby, requested to inform this House whether or not he has complied with the resolution of the General Assembly in relation to the portrait of the late Chief Justice Marshall, approved December 15, 1869.

Which was twice read and adopted.

On motion of Mr. Pope, he was discharged from further service on the Committee on Education.

A message was received from the Governor by Mr. Samuels, Assistant Secretary of State, which was taken up and read as follows, viz:

STATE OF KENTUCKY, EXECUTIVE DEPARTMENT,
FRANKFORT, January 25, 1871.

Gentlemen of the House of Representatives:

I have the honor to transmit herewith the Annual Report of the Western Lunatic Asylum, which has just reached me.

J. W. STEVENSON.

[*For Report—See Legislative Document No.* 8.]

On motion of Mr. McKenzie, the Public Printer was directed to print the usual number of copies for the use of the General Assembly, and one thousand additional copies for the use of the Institution.

On motion of Mr. Phister, the Public Printer was directed to print four hundred copies of the Report of the Deaf and Dumb Asylum for the use of said Institution.

On motion of Mr. T. H. Hays, the Committee on Agriculture and Manufactures were discharged from the consideration of the leave, to them referred, to bring in a bill to amend the charter of the Kentucky Farmers' Manufacturing Company.

And the same was referred to the Committee on Insurance.

Mr. Chrisman presented the petition of citizens of Lewis county, praying for legislation in aid of the Cincinnati Southern Railway.

Which was received.

The following petitions were presented, viz:

By Mr. Downing—

1. The petition of citizens of the town of Tompkinsville, praying the passage of an act incorporating said town.

By Mr. Richart—

2. The petition of citizens of Clark county, in the vicinity of Dunaway meeting-house, praying the passage of an act to protect them in religious worship.

By Mr. Barron—

3. The petition of citizens of the town of Burksville, praying the

passage of an act to prohibit the sale of intoxicating liquors in said town, and to repeal certain parts of the charter of said town.

By Mr. Brewer—

4. The petition of physicians of Owsley county, praying the passage of an act for the benefit of physicians of this Commonwealth.

By Mr. Combs—

5. The petition of citizens of the county of Breathitt, praying the passage of an act to compensate the teacher in school district No. 3, of said county, for teaching a school therein.

By Mr. Hibbs—

6. The petition of citizens of Marshall county, praying that I. K. Wilson may be relieved from further liability to the State as security for Hardin Wade, late sheriff of said county.

Which were received, the reading dispensed with, and referred—the 1st to the Committee on Corporate Institutions; the 2d to the Committee on Religion; the 3d, 4th, and 6th to the Committee on Propositions and Grievances; and the 5th to the Committee on Education.

Leave was given to bring in the following bills, viz:

On motion of Mr. Bowen—

1. A bill for the benefit of school commissioners in this Commonwealth.

On motion of Mr. Downing—

2. A bill to authorize the county court of Monroe county to adopt heirs.

On motion of Mr. Richart—

3. A bill to protect citizens of the Commonwealth, when assembled at church, in the peaceful worship of God. [The bill to apply to country churches.]

On motion of Mr. Caldwell—

4. A bill to amend the charter of the Louisville Napthaline Steel Manufacturing Company.

On motion of same—

5. A bill to charter the Louisville Malleable Iron Works.

On motion of Mr. Price—

6. A bill to amend the law concerning peddlers.

On motion of Mr. Wight—

7. A bill to establish a graded school in Shelbyville.

On motion of Mr. Ford—

8. A bill for the benefit of Emily V. Morrow.

On motion of Mr. Dawson—

9. A bill to continue in force an act, entitled "An act for the benefit of the late clerks, sheriffs, jailers, and other civil officers of this Commonwealth having uncollected fee bills," approved January 19, 1870.

On motion of Mr. Hendrickson—

10. A bill to amend an act, entitled "An act to authorize Lewis county court to levy a tax for building and repairing bridges."

On motion of Mr. Parks—

11. A bill concerning the retail of spirituous, vinous, and malt liquors in part of Jefferson county.

On motion of Mr. Duvall—

12. A bill to change the time of holding the November term of the Owen county court.

On motion of Mr. Baugh—

13. A bill for the benefit of Green McCracken, of Laurel county.

On motion of Mr. Thurmond—

14. A bill for the benefit of the county judge of Lyon county.

On motion of Mr. Hibbs—

15. A bill for the benefit of school districts Nos. 11 and 12, in Marshall county.

On motion of Mr. McKee—

16. A bill to compel the owners of animals to burn their carcasses when they die.

On motion of Mr. Holeman—

17. A bill to amend the charter of the town of Dixon, in Webster county.

On motion of Mr. Good—

18. A bill to amend an act, entitled "An act to charter the Stanford Female Seminary."

On motion of same—

19. A bill to charter the Logan's Creek, Dudderar's Mill, and White Oak Turnpike Road Company.

On motion of Mr. Furber—

20. A bill to amend the charter of the Covington and Horse Branch Railroad Company.

On motion of Mr. Barron—

21. A bill authorizing the county clerk of Cumberland county to make out complete cross-indexes, to supply in place of mutilated

indexes, to certain record books of the county court clerk's office in Cumberland county.

On motion of Mr. Wolf—

22. A bill to amend the charter of the Covington and DeCourcey Creek Turnpike Road Company.

On motion of Mr. Hindman—

23. A bill to submit to the qualified voters of this Commonwealth a proposition to allow the construction of the Cincinnati Southern Railway.

Ordered, That the Committee on Education prepare and bring in the 1st, 7th, 15th, and 18th; the Committee on the Judiciary the 2d and 8th; the Committee on Religion the 3d and 13th; the Committee on Corporate Institutions the 4th, 5th, and 17th; the Committee on Revised Statutes the 6th and 9th; the Committee on Internal Improvement the 10th, 19th, 20th, and 22d; the Committee on County Courts the 11th, 12th, 14th, and 21st; the Committee on Agriculture and Manufactures the 16th; and the Committee on Railroads the 22d.

Mr. Corbett, from the Committee on Propositions and Grievances, who were directed to prepare and bring in the same, reported

A bill to change the name of the Lower Pond precinct, in Jefferson county.

Which was read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be referred to the Committee on the Judiciary.

Mr. Wight, from the Committee on Propositions and Grievances, who were directed to prepare and bring in the same, reported

A bill to amend the charter of the Shelby Railroad Company.

Which was read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be referred to the Committee on Railroads.

And thereupon Mr. McKenzie, from the Committee on Railroads, to whom same was referred, reported said bill without amendment.

Ordered, That said bill be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Barret, from the Committee on the Judiciary, to whom was referred a bill from the Senate, entitled

An act to regulate appeals from police courts and mayor's courts,

Reported the same without amendment, and with the expression of opinion that said bill ought not to pass.

The question was then taken on ordering said bill to be read a third time, the opinion of the committee to the contrary notwithstanding, and it was decided in the negative.

And so said bill was disagreed to.

Mr. Barret, from the Committee on Education, to whom was referred a bill from the Senate, entitled

An act relating to school district No. 14, in Simpson county,

Reported the same without amendment.

Ordered, That said bill be read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Bills were reported by the several committees, who were directed to prepare and bring in the same, of the following titles, viz:

By Mr. McCreary, from the Committee on Revised Statutes—

A bill to reduce into one the acts concerning the town of Barboursville, fixing the boundary of said town, and for other purposes.

By Mr. McKenzie, from the Committee on Railroads—

A bill to incorporate the Kentucky and Tennessee Railroad Company.

By Mr. Corbett, from the Committee on Propositions and Grievances—

A bill for the benefit of the trustees of the town of Shepherdsville.

By same—

A bill to continue in force for five years an act, entitled "An act for the benefit of Crittenden county," approved February 10, 1865.

By Mr. Barren, from the same committee—

A bill prohibiting the sale of spirituous liquors, &c., in Cumberland county.

By Mr. Thurmond, from the same committee—

A bill to amend an act, entitled "An act to prohibit the sale of spirituous liquors in the town of South Carrollton."

By Mr. Blue, from the Committee on the Judiciary—

A bill to authorize the Crittenden county court to issue county bonds to aid in rebuilding the court house in said county.

Which were read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Morris then moved to reconsider the vote by which the House, on yesterday, rejected a bill, entitled

A bill to authorize the trustees of the Cincinnati Southern Railway to acquire the right of way, and to extend a line of railway through certain counties in this Commonwealth.

And thereupon Mr. McKenzie moved that the roll be called.

The roll being called, the following members appeared in their seats and responded to their names, viz:

Mr. SPEAKER (Bunch),	N. C. Dille,	James B. McCreary,
William Adair,	D. E. Downing,	Wm. J. McElroy,
Silas Adams,	H. G. Duerson,	George R. McKee,
G. W. Anderson,	John Duvall,	James A. McKenzie,
Ervin Anderson,	M. W. Ferguson,	Mason Morris,
J. M. Atherton,	James P. Ford,	Thomas H. Moss,
W. F. Barret,	W. W. Frazer,	Edward Myall,
P. W. Barron,	John N. Furber,	Joshua B. Parks,
J. F. Baugh,	Samuel G. Geisler,	E. A. Pearson,
Rob't C. Beauchamp,	Robert T. Glass,	W. H. Pettus,
John W. Blue,	L. D. Good,	Elijah C. Phister,
D. M. Bowen,	Clinton Griffith,	Alfred T. Pope,
Samuel W. Brents,	D. Hambleton,	Douglass L. Price,
Howell Brewer,	Ashton P. Harcourt,	G. W. Quick,
Jesse D. Bright,	Ben. Hardin,	William S. Richart,
E. Burr,	J. B. Hays,	George W. Riddle,
William B. Caldwell,	T. H. Hays,	George W. Silvertooth,
James E. Cantrill,	A. J. Hendrickson,	Robert Simmons,

Landon Carter,
J. S. Chrisman,
James R. Claybrook,
A. T. Coffman,
Thos. T. Cogar,
I. B. Combs,
R. L. Cooper,
Thomas H. Corbett,
Joseph M. Davidson,
F. R. Davis,
Asbury Dawson,
J. C. DeMoss,
George R. Diamond,
J. L. Hibbs,
James R. Hindman,
Elijah Hogan,
Jeff. Holeman,
Elijah Hurst,
William Irwin, sr.,
George M. Jessee,
Alfred M. Jones,
John W. Kendall,
James Kilgore,
Francis M. Lowe,
G. W. Little,
J. J. McAfee,
R. K. Smith,
R. M. Spalding,
Geo. W. Terrell,
P. M. Thurmond,
J. L. Waring,
W. J. Webb,
A. D. Weller,
John F. Wight,
L. Wilson,
John Wolf,
S. M. Wrather,
Hugh H. York—92.

Mr. McKenzie moved to lay the motion of Mr. Morris on the table.

And the question being taken on the motion of Mr. McKenzie, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Bowen and Cantrill, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Bunch),
William Adair,
Geo. W. Anderson,
J. M. Atherton,
Wm. F. Barret,
Robert C. Beauchamp,
D. M. Bowen,
Samuel W. Brents,
William B. Caldwell,
James R. Claybrook,
A. T. Coffman,
Thomas T. Cogar,
I. B. Combs,
R. L. Cooper,
F. R. Davis,
Asbury Dawson,
George R. Diamond,
D. E. Downing,
H. G. Duerson,
M. W. Ferguson,
W. W. Frazer,
Clinton Griffith,
D. Hambleton,
Ashton P. Harcourt,
Ben. Hardin,
J. B. Hays,
T. H. Hays,
J. L. Hibbs,
R. E. Humphrey,
William Irwin, sr.
William J. McElroy,
James A. McKenzie,
Thomas H. Moss,
Joshua B. Parks,
E. A. Pearson,
Elijah C. Phister,
Alfred T. Pope,
G. W. Quick,
George W. Riddle,
Richard M. Spalding
P. M. Thurmond—41.

Those who voted in the negative, were—

Silas Adams,
Ervin Anderson,
P. W. Barron,
J. F. Baugh,
John W. Blue,
Howell Brewer,
Jesse D. Bright,
E. Burr,
James E. Cantrill,
Landon Carter,
J. S. Chrisman,
Thomas H. Corbett,
Joseph M. Davidson,
J. C. DeMoss,
John N. Furber,
Samuel G. Geisler,
Robert T. Glass,
L. D. Good,
A. J. Hendrickson,
James R. Hindman,
Elijah Hogan,
Jeff. Holeman,
Elijah Hurst,
George M. Jessee,
Alfred M. Jones,
John W. Kendall,
James Kilgore,
Francis M. Lowe,
George R. McKee,
Mason Morris,
Edward Myall,
W. H. Pettus,
Douglass L. Price,
William S. Richart,
George W. Silvertooth,
Robert Simmons,
George W. Terrell,
W. J. Webb,
A. D. Weller,
John F. Wight,
L. Wilson,
John Wolf,

N. C. Dille,	G. W. Little,	S. M. Wrather,
John Duvall,	J. J. McAfee,	Hugh H. York—50.
James P. Ford,	James B. McCreary,	

And so the House refused to lay the motion of Mr. Morris on the table.

The question was then taken on the motion of Mr. Morris to reconsider the vote by which said bill was rejected, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. McKenzie and Caldwell, were as follows, viz:

Those who voted in the affirmative, were—

Silas Adams,	John N. Furber,	George R. McKee,
Ervin Anderson,	Samuel G. Geisler,	Mason Morris,
P. W. Barron,	Robert T. Glass,	Edward Myall,
J. F. Baugh,	L. D. Good,	W. H. Pettus,
John W. Blue,	A. J. Hendrickson,	Douglass L. Price,
Howell Brewer,	James R. Hindman,	Wm. S. Richart,
Jesse D. Bright,	Elijah Hogan,	G. W. Silvertooth,
James E. Cantrill,	Jeff. Holeman,	Robert Simmons,
Landon Carter,	Elijah Hurst,	George W. Terrell,
J. S. Chrisman,	Alfred M. Jones,	W. J. Webb,
Thomas H. Corbett,	John W. Kendall,	A. D. Weller,
Joseph M. Davidson,	James Kilgore,	John F. Wight,
J. C. DeMoss,	Francis M. Lowe,	L. Wilson,
N. C. Dille,	G. W. Little,	John Wolf,
John Duvall,	J. J. McAfee,	S. M. Wrather,
James P. Ford,	James B. McCreary,	Hugh H. York—48.

Those who voted in the negative, were—

Mr. SPEAKER (Bunch),	F. R. Davis,	R. E. Humphrey,
William Adair,	Asbury Dawson,	Wm. Irwin, sr.,
G. W. Anderson,	George R. Diamond,	George M. Jessee,
J. M. Atherton,	D. E. Downing,	William J. McElroy,
Wm. F. Barret,	H. G. Duerson,	James A. McKenzie,
Robert C. Beauchamp,	M. W. Ferguson,	Thomas H. Moss,
D. M. Bowen,	W. W. Frazer,	Joshua B. Parks,
Samuel W. Brents,	Clinton Griffith,	E. A. Pearson,
E. Burr,	D. Hambleton,	Elijah C. Phister,
Wm. B. Caldwell,	Ashton P. Harcourt,	Alfred T. Pope,
James R. Claybrook,	Ben. Hardin,	G. W. Quick,
A. T. Coffman,	J. B. Hays,	George W. Riddle,
Thomas T. Cogar,	T. H. Hays,	R. M. Spalding,
I. B. Combs,	J. L. Hibbs,	P. M. Thurmond—43.
R. L. Cooper,		

And so the House decided to reconsider the vote by which said bill was rejected.

At ten minutes past 12 o'clock, M., Mr. Diamond moved that the House do now adjourn.

And the question being taken on the motion of Mr. Diamond, it was decided in the negative.

Mr. McKenzie then moved to postpone the further consideration of said bill until to-morrow morning, at 11 o'clock.

And the question being taken on the motion of Mr. McKenzie, it was decided in the negative.

The yeas and nays being required thereon by Messrs. McKenzie and Diamond, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Bunch),	F. R. Davis,	William Irwin, sr.,
William Adair,	Asbury Dawson,	George M. Jessee,
George W. Anderson,	George R. Diamond,	William J. McElroy,
J. M. Atherton,	D. E. Downing,	James A. McKenzie,
Wm. F. Barret,	H. G. Duerson,	Mason Morris,
Robert C. Beauchamp,	M. W. Ferguson,	Thomas H. Moss,
D. M. Bowen,	W. W. Frazer,	Joshua B. Parks,
Samuel W. Brents,	Clinton Griffith,	E. A. Pearson,
E. Burr,	D. Hambleton,	Elijah C. Phister,
William B. Caldwell,	Ashton P. Harcourt,	Alfred T. Pope,
James R. Claybrook,	Ben. Hardin,	G. W. Quick,
A. T. Coffman,	J. B. Hays,	George W. Riddle,
Thomas T. Cogar,	T. H. Hays,	Richard M. Spalding,
I. B. Combs,	J. L. Hibbs,	P. M. Thurmond,
R. L. Cooper,	R. E. Humphrey,	John F. Wight—45.

Those who voted in the negative, were—

Silas Adams,	James P. Ford,	J. J. McAfee,
Ervin Anderson,	John N. Furber,	George R. McKee,
P. W. Barron,	Samuel G. Geisler,	Edward Myall,
J. F. Baugh,	Robert T. Glass,	W. H. Pettus,
John W. Blue,	L. D. Good,	Douglass L. Price,
Howell Brewer,	A. J. Hendrickson,	Wm. S. Richart,
Jesse D. Bright,	James R. Hindman,	Geo. W. Silvertooth,
James E. Cantrill,	Elijah Hogan,	Robert Simmons,
Landon Carter,	Jeff. Holeman,	George W. Terrell,
J. S. Chrisman,	Elijah Hurst,	W. J. Webb,
Thomas H. Corbett,	Alfred M. Jones,	A. D. Weller,
Joseph M. Davidson,	John W. Kendall,	L. Wilson,
J. C. DeMoss,	James Kilgore,	John Wolf,
N. C. Dille,	Francis M Lowe,	S. M. Wrather,
John Duvall,	G. W. Little,	Hugh H. York—45.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Bowen and McKenzie, were as follows, viz:

Those who voted in the affirmative, were—

Silas Adams,	John N. Furber,	James B. McCreary,
Ervin Anderson,	Samuel G. Geisler,	George R. McKee,
P. W. Barron,	Robert T. Glass,	Edward Myall,
J. F. Baugh,	L. D. Good,	W. H. Pettus,
John W. Blue,	A. J. Hendrickson,	Douglass L. Price,
Howell Brewer,	Jas. R. Hindman,	William S. Richart,
Jesse D. Bright,	Elijah Hogan,	G. W. Silvertooth,
James E Cantrill,	Jeff. Holeman,	Robert Simmons,
Landon Carter,	Elijah Hurst,	George W. Terrell,
J. S. Chrisman,	Alfred M. Jones,	W. J. Webb,
Thomas H. Corbett,	John W. Kendall,	A D. Weller,
Joseph M. Davidson,	James Kilgore,	L. Wilson,
J. C. DeMoss,	Francis M. Lowe,	John Wolf,
N. C. Dille,	G. W. Little,	S. M. Wrather,
John Duvall,	J. J. McAfee,	Hugh H. York—46.
James P. Ford,		

Those who voted in the negative, were—

Mr. SPEAKER (Bunch),	F. R. Davis,	William Irwin, sr.,
William Adair,	Asbury Dawson,	George M. Jessee,
George W. Anderson,	George R. Diamond,	Wm. J. McElroy,
J M. Atherton,	D. E. Downing,	James A. McKenzie,
Wm. F. Barret,	H. G. Duerson,	Mason Morris,
Robert C. Beauchamp,	M. W. Ferguson,	Thomas H. Moss,
D. M. Bowen,	W. W. Frazer,	Joshua B. Parks,
Samuel W. Brents,	Clinton Griffith,	E. A. Pearson,
E Burr,	D. Hambleton,	Elijah C. Phister,
William B. Caldwell,	Ashton P. Harcourt,	Alfred T. Pope,
James R. Claybrook,	Ben. Hardin,	G. W. Quick,
A. T. Coffman,	J. B. Hays,	George W. Riddle,
Thomas T. Cogar,	T. H. Hays,	R. M. Spalding,
I. B. Combs,	J. L. Hibbs,	P. M. Thurmond,
R. L. Cooper,	R. E. Humphrey,	John F. Wight—45.

Resolved, That the title of said bill be as aforesaid.

On the questions growing out of this bill, it was stated in the House, and so ordered to be recorded, that Mr. Waring had paired off with Mr. Bascom, and Mr. Smith with Mr. Prather.

And then the House adjourned.

FRIDAY, JANUARY 27, 1871.

Mr. Chrisman presented the petition of citizens of Wayne county, praying legislation in aid of the Cincinnati Southern Railway.

Which was received.

Mr. Thurmond presented the petition of citizens of Princeton, Caldwell county, praying the repeal of an act giving to Princeton College a portion of the school fund belonging to said district.

Which was received, the reading dispensed with, and referred to the Committee on Education.

On motion of Mr. Claybrook, leave was given to bring in a bill to regulate and fix the time of holding the courts of I. R. Mitchell, a justice of the peace of Washington county.

Ordered, That the Committee on County Courts prepare and bring in the same.

The Speaker appointed Mr. T. H. Hays to serve on the Committee on Education, in place of Mr. Pope, resigned.

A message was received from the Senate, announcing that they had received official information that the Governor had approved and signed enrolled bills, which originated in the Senate, of the following titles, viz:

An act to amend an act, entitled "An act to incorporate the Traders' Bank," approved February 13, 1867.

An act to legalize the proceedings of the Barren county court, in reference to the estate of John D. Courts, deceased, and for other purposes.

That they had passed bills, which originated in the House of Representatives, of the following titles, viz:

An act changing the time of holding county courts in Harrison county.

An act for the benefit of school district No. 4, in Knox county.

An act for the benefit of H. M. Wade, late sheriff of Marshall county.

An act to incorporate the Monterey Bridge Company.

An act to change the times for holding the Garrard circuit court.

An act to provide for the erection of school buildings in the town of Cloverport.

An act to amend an act, approved March 17, 1870, to change the time of holding circuit courts in the eleventh judicial district.

An act to extend the boundary of the town of South Carrollton.

An act to amend an act, entitled "An act to incorporate the Shelby County Agricultural and Mechanical Association."

An act to amend the Florence and Independence Turnpike charter.

An act to amend the charter of Swift's Iron and Steel Works, in Campbell county.

An act to regulate the holding of the special term of the Bourbon circuit court.

An act to prevent the destruction of fish in Cumberland river above the falls.

An act to legalize certain acts of the Boone county court.

An act to continue in force an act, entitled "An act to run, mark, and define the line between the counties of Bourbon and Montgomery."

An act for the benefit of Boone county.

An act for the benefit of Caseyville, in Union county.

An act to amend the charter of the town of New Concord, in Calloway county.

An act to amend the charter of Allensville, in Todd county.

An act to establish a court of common pleas in Caldwell county.

An act to repeal part of an act, entitled "An act to authorize the Jackson county court to levy and collect a tax to build a court-house."

And that they had passed a resolution and bills, of the following titles, viz:

Resolution in relation to the common school law.

1. An act to amend an act, entitled "An act to provide for the organization and regulation of incorporated companies, except banking, insurance, and railroad companies," approved March 16, 1870.

2. An act for the benefit of the Deaf and Dumb Asylum at Danville.

3. An act to amend the charter of the town of Danville.

4. An act to amend an act, entitled "An act to establish the office of Public Administrator and Guardian," approved May 28, 1865.

5. An act to amend the charter of the River Road Company, of Jefferson county.

6. An act to amend the charter of the Oakland Plank Road Company, of Jefferson county.

7. An act to incorporate the Caverna Deposit Bank.

8. An act for the benefit of common school district No. 4, in Green county.

9. An act authorizing school district No. 16, in Fulton county, to vote a tax to purchase school-house and lot.

10. An act to incorporate the Boyd County Navigation, Manufacturing, and Improvement Company.

11. An act to amend an act, entitled "An act to repeal section 3 of the charter of Catlettsburg."

12. An act to amend an act, entitled "An act to repeal the charter and reincorporate the town of Elizabethtown, in Hardin county," approved February 26, 1858.

Which were read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills and resolution being dispensed with,

Ordered, That they be referred—the 1st, 6th, 11th, and 12th to the Committee on Corporate Institutions; the 2d to the Committee on Charitable Institutions; the 3d to the Committee on the Judiciary; the 4th to the Committee on Revised Statutes; the 5th to the Committee on Propositions and Grievances; the 7th to the Committee on Banks; the 8th and 9th to the Committee on Education; and the 10th to the Committee on Internal Improvement.

Mr. Quick, from the Committee on Enrollments, reported that the committee had examined an enrolled bill, which originated in the Senate, entitled

An act to incorporate the town of Earlington;

And also enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to authorize the legal voters of the county of Lee to locate the county seat of said county by a vote;

An act to provide for the establishment of the line between Franklin and Owen counties;

An act to amend an act authorizing the presiding judge of Fayette county to appoint a treasurer to serve during his term;

And had found the same truly enrolled.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Quick inform the Senate thereof.

Mr. Barret moved to reconsider the vote by which the House, on yesterday, refused to order to a third reading a bill from the Senate, entitled

An act to regulate appeals from police courts and mayor's courts.

And the question being taken on said motion, it was decided in the affirmative.

And so said bill was reconsidered.

Mr. Barret then moved an amendment to said bill.

Ordered, That said bill be recommitted to the Committee on the Judiciary.

The House then, according to order, took up for consideration a bill from the Senate, entitled

An act concerning the Court of Appeals.

Ordered, That said bill be read a third time.

Said bill was then read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the terms of the Court of Appeals, as now fixed by law, are abolished, except as provided in the next section. Said Court shall hereafter set every juridical day in each and every year, except the months of July and August, and from the 23d of December to the 2d day of January following, if it shall be necessary for the disposal of all the business upon the docket.

§ 2. The terms as now fixed by law shall be counted and regarded as terms, within the meaning of all the provisions of existing laws, which require anything to be done before the commencement of a term, or after the end of a term, or within a certain number of terms.

§ 3. The Judges of said court shall each receive a salary of six thousand dollars.

§ 4. If the Judges, or either of them, fail to attend the sittings of the court, as herein required, the court shall direct the clerk to certify to the Auditor, on the first day of January and July in each year, the number of days of such failure, and the Auditor shall deduct, from the increase of salary here allowed, an amount equal to the pay per day for each of said days such Judge or Judges shall fail to attend, unless the court shall be satisfied such failure was the result of inevitable casualty or misfortune.

§ 5. All existing laws inconsistent with this act are hereby repealed.

§ 6. This act shall take effect on the first day of June next.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon, in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Bunch),	R. L. Cooper,	John W. Kendall,
Silas Adams,	Thomas H. Corbett,	James Kilgore,
George W. Anderson,	Joseph M. Davidson,	Francis M. Lowe,
Ervin Anderson,	J. C. DeMoss,	J. J. McAfee,
J. M. Atherton,	N. C. Dille,	George R. McKee,
William F. Barret,	H. G. Duerson,	James A. McKenzie,
Alpheus W. Bascom,	John Duvall,	Joshua B. Parks,
John W. Blue,	M. W. Ferguson,	E. A. Pearson,
D. M. Bowen,	James P. Ford,	Elijah C. Phister,
Samuel W. Brents,	W. W. Frazer,	Alfred T. Pope,
Jesse D. Bright,	John N. Furber,	Douglass L. Price,
E. Burr,	Samuel G. Geisler,	William S. Richart,
William B. Caldwell,	Robert T. Glass,	George W. Riddle,
James E. Cantrill,	Ashton P. Harcourt,	Robert Simmons,
Landon Carter,	T. H. Hays,	R. K. Smith,
J. S. Chrisman,	William Irwin, sr.,	Richard M. Spalding,
James R. Claybrook,	George M. Jessee,	J. L. Waring—53.
Thomas T. Cogar,	Alfred M. Jones,	

Those who voted in the negative, were—

William Adair,	J. B. Hays,	W. H. Pettus,
P. W. Barron,	A. J. Hendrickson,	G. W. Quick,
J. F. Baugh,	J. L. Hibbs,	George W. Silvertooth,
Robert C. Beauchamp,	James R. Hindman,	Geo. W. Terrell,
Howell Brewer,	Elijah Hogan,	P. M. Thurmond,
I. B. Combs,	Jeff. Holeman,	W. J. Webb,
F. R. Davis,	R. E. Humphrey,	A. D. Weller,
Asbury Dawson,	Elijah Hurst,	John F. Wight,
D. E. Downing,	G. W. Little,	L. Wilson,
L. D. Good,	James B. McCreary,	John Wolf,
Clinton Griffith,	William J. McElroy,	S. M. Wrather,
D Hambleton,	Thomas H. Moss,	Hugh H. York—38.
Ben. Hardin,	Edward Myall,	

Resolved, That the title of said bill be as aforesaid.

The Speaker laid before the House the following communication, viz:

To the Honorable Speaker of the House of Representatives:

SIR: In response to a resolution of the House of Representatives, passed January 26, 1871, calling for information in regard to the compliance or non-compliance of the Librarian with a "resolution of the General Assembly" in relation to the portrait of the late Chief Justice Marshall, passed December 15, 1869—

I have the honor to inform the House, through you, that the resolution of December 15, 1869, was adopted before I became Librarian, and that I did not know of its existence until my attention was called to it by the resolution of the 26th January, 1871. My predecessor in office informs me that he took no action in the matter.

I will proceed, without delay, to take the necessary steps to obtain the portrait referred to in the resolution of December 15, 1859.

G. B. CRITTENDEN, *State Librarian.*

FRANKFORT, KY., Jan. 27, 1871.

Mr. Chrisman, from the Committee on Claims, to whom was recommitted a bill, entitled

A bill for the benefit of Mrs. Letitia Garrard, widow of the late James H. Garrard, deceased,

Reported the same with an amendment thereto, without the expression of opinion thereon by the committee.

The question was then taken on the adoption of said amendment, and it was decided in the affirmative.

Ordered, That said bill, as amended, be engrossed and read a third time.

Said bill being engrossed, was read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the Auditor of Public Accounts draw his warrant on the Treasurer in favor of Mrs. Letitia Garrard, widow of James H. Garrard, deceased, late Treasurer of the State, for the sum of one thousand dollars, amount due him had he lived to the end of the official year in which he died; the amount to be paid to her out of any money in the Treasury not otherwise appropriated.

§ 2. This act to take effect from and after its passage.

The question was then, in pursuance to a provision of the Constitution, taken by yeas and nays on the passage of said bill, and not having received the constitutional majority, it was decided in the negative, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Bunch),	Joseph M. Davidson,	Francis M. Lowe,
Alpheus W. Bascom,	F. R. Davis,	G. W. Little,
J. F. Baugh,	N. C. Dille,	George R. McKee,
John W. Blue,	M. W. Ferguson,	James A. McKenzie,
D. M. Bowen,	James P. Ford,	E. A. Pearson,
Samuel W. Brents,	John N. Furber,	Elijah C. Phister,
Howell Brewer,	Samuel G. Geisler,	Douglass L. Price,
Jesse D. Bright,	Robert T. Glass,	Wm. S. Richart,
E. Burr,	T. H. Hays,	George W. Riddle,
Wm. B. Caldwell,	Elijah Hogan,	George W. Terrell,
James E. Cantrill,	Elijah Hurst,	J. L Waring,
Landon Carter,	George M. Jessee,	W. J. Webb,
J. S. Chrisman,	Alfred M. Jones,	John Wolf,
Thomas T. Cogar,	John W. Kendall,	Hugh H. York—43.
I. B. Combs,		

Those who voted in the negative, were—

Silas Adams,	John Duvall,	James B. McCreary,
G. W. Anderson,	W. W. Frazer,	William J. McElroy,
Ervin Anderson,	L. D. Good,	Thomas H. Moss,
J. M. Atherton,	Clinton Griffith,	Edward Myall,
Wm. F. Barret,	D. Hambleton,	Joshua B. Parks,
P. W. Barron,	Ashton P. Harcourt,	W. H. Pettus,
Robert C. Beauchamp,	J. L. Hibbs,	Alfred T. Pope,
James R. Claybrook,	James R. Hindman,	G. W. Silvertooth,
Thomas H. Corbett,	R. E. Humphrey,	Robert Simmons,
Asbury Dawson,	Wm. Irwin, sr.,	R. M. Spalding,
D. E. Downing,	James Kilgore,	John F. Wight,
H. G. Duerson,	J. J. McAfee,	L. Wilson—36.

And so said bill was rejected.

Mr. Spalding, from the Committee on the Sinking Fund, who were directed to prepare and bring in the same, reported the following bills, viz:

1. A bill authorizing and directing the sale of the interest and stock owned by the State of Kentucky in turnpike roads or turnpike road companies.

2. A bill authorizing and empowering county courts to purchase from Commissioners of the Sinking Fund stock in turnpike roads belonging to the State of Kentucky.

Which were read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills and resolution being dispensed with,

Ordered, That said bills be printed, and made the special order of the day for Wednesday, the first day of February next.

Mr. McCreary, from the Committee on Ways and Means, who were directed to prepare and bring in the same, reported

A bill for the benefit of Samuel Biggerstaff, late sheriff of Madison county.

Which was read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Atherton moved the following joint resolution, which lies one day on the table, viz:

Be it resolved by the General Assembly of the Commonwealth of Kentucky, That the Commissioner of Insurance be, and is hereby, requested to proceed to Louisville, as soon as possible, and examine into the affairs of the Kentucky, Globe, and Hope Insurance Companies, and report the result of his examination in the following particulars: Amount of policies outstanding in each company; amount of premium notes held by each company; when all the policies in each company expire; amount of money collected from policy-holders in each company since the appointment of the receivers; amount of losses adjusted and unpaid at the time the receivers were appointed; amount of losses incurred by each company since the receivers were appointed; amount paid policy-holders for losses since the receivers were appointed; amount paid out to clerks, lawyers, and other persons not policy-holders; amount of money of each company now in the hands of the receivers; amount of adjusted losses unpaid.

A message was received from the Governor by Mr. Samuels, Assistant Secretary of State, announcing that he had approved and signed enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act concerning the police court of the town of Winchester, in Clark county.

An act to amend an act, entitled "An act to incorporate Cave Hill Cemetery."

An act to authorize the county judge of Ohio county to sign certain orders, and to legalize the same.

Mr. Chrisman, from the Committee on Revised Statutes, to whom was recommitted a bill, entitled

A bill for the benefit of the judge of the city court of Louisville,

Reported the same, with a substitute therefor, by way of amendment.

Said amendment was then adopted.

Ordered, That said bill, as amended, be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

On motion, leave of absence was granted to Messrs. Adair, Brents, and Hendrickson.

Mr. Thurmond, from the Committee on County Courts, who were directed to prepare and bring in the same, reported

A bill defining the duties of sheriffs and other officers authorized by law to serve supœnas.

Which was read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Mr. Combs moved to lay said bill on the table.

And the question being taken thereon, it was decided in the affirmative.

And so said bill was rejected.

And then the House adjourned.

SATURDAY, JANUARY 28, 1871.

The following petitions and remonstrance were presented, viz:

By Mr. Barron—

1. The petition of the county court of the county of Cumberland, praying the passage of a law to authorize the said court to levy an additional tax to discharge the indebtedness of said county.

By Mr. York—

2. The petition of citizens of Josh Bell county, praying the removal of a toll-gate on the Wilderness Turnpike Road to Pineville, in said county.

By Mr. Kendall—

3. The petition of citizens of Elliott and Carter counties, praying that Wm. Green be permitted to erect a mill-dam across Little Sandy river.

By same—

4. The remonstrance of citizens of Wolfe county, against the formation of a new county out of parts of Magoffin, Wolfe, &c.

By Mr. Lowe—

5. The petition of citizens of Pendleton and Grant counties, praying the passage of a law to re-mark and establish the line between said counties.

By Mr. Dawson—

6. The petition of members of the medical profession of Simpson county, praying the passage of an act giving to physicians a lien for their services, and making the same a preferred claim.

By Mr. Blue—

7. The petition of citizens of Crittenden, Caldwell, and Lyon counties, praying that tolls of steam and water mills may be regulated by law.

Which were received, the reading dispensed with, and referred—the 1st to the Committee on County Courts; the 2d to the Committee on Internal Improvement; the 3d, 4th, 5th, and 7th to the Committee on Propositions and Grievances; and the 6th to the Committee on Revised Statutes.

On motion, leave of absence, indefinitely, was granted Messrs. Cooper, Bascom, Price, Geisler, Coffman, J. B. Hays, Morris, Weller, McKenzie, Cogar, and Humphrey.

The House then took up the resolution offered on yesterday, entitled

Resolution requesting Insurance Commissioner to make investigation of the affairs of certain insurance companies.

Amendments were offered thereto by Messrs. Atherton and Blue.

Which were adopted.

The said resolution, as amended, was then adopted.

On motion of Mr. McKenzie, the Committee on Railroads were discharged from the further consideration of the leave to them referred to bring in a bill to authorize the county court of Henry county to subscribe stock and issue bonds to the Cumberland and Ohio Railroad.

Bills were reported by the several committees, who were directed to prepare and bring in the same, of the following titles, viz:

By Mr. Chrisman, from the Committee on Railroads—

A bill to amend an act, entitled "An act to incorporate the Madisonville and Shawneetown Straight-Line Railroad Company," approved February 18, 1870.

By Mr. G. W. Anderson, from the Committee on Corporate Institutions—

A bill to amend an act, entitled "An act to amend and reduce into one the several acts concerning the town of Hopkinsville," approved March 5, 1870.

By same—

A bill to create a fifth magistrates' district in the city of Louisville.

By Mr. Chrisman, from the Committee on Claims—

A bill for the benefit of William P. Carder, of Hart county.

By Mr. Silvertooth, from the Committee on Circuit Courts—

A bill to designate Tuesday as the first day of the circuit courts in the 5th judicial district.

Which were read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Bills from the Senate were reported, without amendment, by the committees to whom they had been referred, of the following titles, viz:

By Mr. G. W. Anderson, from the Committee on Corporate Institutions—

An act to amend the charter of the Ashland and Catlettsburg Turnpike Company.

By Mr. Silvertooth, from the Committee on Circuit Courts—

An act to amend an act, entitled "An act to amend and reduce into one the several acts respecting the town of Hickman," approved March 10, 1854.

Ordered, That said bills be read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Glass, from the Committee on Revised Statutes, who were directed to prepare and bring in the same, reported

A bill to change the time of payment of the revenue into the State Treasury, and to change the revenue laws.

Which was read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be printed, and placed in the orders of the day.

Mr. Caldwell, from the Committee on Railroads, to whom was referred a bill from the Senate, entitled

An act to incorporate the Louisville Railway Transfer Company, and conferring certain powers in relation thereto on the Louisville, Cincinnati, and Lexington, and Louisville and Nashville Railroad Companies,

Reported the same without amendment.

Ordered, That the further consideration of said bill be postponed until Tuesday, 31st inst., at 10½ o'clock, A. M.

Mr. DeMoss, from the Committee on Education, who originated the same, reported

A bill to amend the common school laws of Kentucky.

Which was read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be printed and placed in the orders of the day.

Mr. Thurmond moved the following resolution, viz:

Resolved, That the Committee on the Judiciary be, and are hereby, requested to report to this House, in writing, such persons, companies, associations, or institutions that can be incorporated under the general corporation act that passed at the last session of this General Assembly.

Which was adopted.

A message was received from the Senate, announcing that they had received official information that the Governor had approved and signed enrolled bills and a resolution, which originated in the Senate, of the following titles, viz:

An act to amend the charter of the Bardstown and Bloomfield Turnpike Road Company.

An act to repeal an act, entitled "An act to prohibit the sale or vending of vinous, spirituous, or malt liquors in the town of Blandville, in Ballard county," approved March 8, 1870.

An act to authorize the county court of Knox county to issue bonds to raise money to erect a court-house and other public buildings in said county.

An act for the benefit of certain turnpike roads.

An act to amend the charter of the Owenton and Ross Mill Turnpike Road Company.

An act to amend an act approved 20th December, 1865, entitled "An act to amend section 1, article 3, chapter 47, of the Revised Statutes."

An act to amend an act, entitled "An act to authorize the Fulton county court to levy and collect a tax in said county to repair the court-house in said county," approved January 26, 1870.

An act to amend the charter of the Flemingsburg and Upper Blue Lick Turnpike Road Company.

An act for the benefit of the New Liberty and Owenton Turnpike Road Company.

An act to authorize the sale of the Presbyterian church buildings, parsonage, and lots belonging to said church, in the town of Greenville.

An act legalizing certain proceedings of the Owen county court.

An act legalizing the sale of the old jail lot in the town of Owenton.

An act to authorize the Mercer county court to provide for the payment of the indebtedness of said county.

An act to authorize the Owen county court to subscribe stock in the Owenton and Stamping Ground Turnpike Road Company.

An act to authorize the city of Newport to supply itself and others with pure water, and to establish water-works.

Resolution in regard to pensioning soldiers of the war of 1812.

That they had passed bills, which originated in the House of Representatives, of the following titles, viz:

An act for the benefit of Estill Seminary.

An act to regulate the election of a treasurer for Bourbon county.

An act for the benefit of St. Peter's Protestant Episcopal Church, in Paris.

And that they had passed bills of the following titles, viz:

1. An act for the benefit of the county court of Union county.

2. An act for the benefit of Mrs. Bettie Herring.
3. An act for the benefit of school district No. 53, in Mercer county.
4. An act for the benefit of school district No. 21, in Mercer county.
5. An act for the benefit of A. C. Cox, late sheriff of Green county.

Which were read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That they be referred—the 1st and 5th to the Committee on County Courts, and the 2d, 3d, and 4th to the Committee on Education.

Mr. Quick, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the Senate, of the following titles, viz:

An act relating to school district No. 14, in Simpson county;

An act concerning the Court of Appeals;

And also enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act changing the time of holding county courts in Harrison county;

An act for the benefit of school district No. 4, in Knox county;

An act for the benefit of H. M. Wade, late sheriff of Marshall county;

An act to incorporate the Monterey Bridge Company;

An act to change the times for holding the Garrard circuit court;

An act to amend an act, approved March 17, 1870, to change the time of holding circuit courts in the eleventh judicial district;

An act to provide for the erection of school buildings in the town of Cloverport;

An act to extend the boundary of the town of South Carrollton;

An act to amend an act, entitled "An act to incorporate the Shelby County Agricultural and Mechanical Association;"

An act to amend the Florence and Independence Turnpike charter;

An act to amend the charter of Swift's Iron and Steel Works, in Campbell county;

An act to regulate the holding of the special term of the Bourbon circuit court;

And had found the same truly enrolled.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Quick inform the Senate thereof.

Mr. Corbett moved that a committee be appointed to wait upon the Governor, and request him to return to the House, unsigned, an engrossed bill, which originated in the Senate, entitled

An act concerning the Court of Appeals.

Mr. Phister moved to lay the motion of Mr. Corbett on the table.

And the question being taken on the motion of Mr. Phister, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Corbett and Blue, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Bunch),	John Duvall,	J. J. McAfee,
Silas Adams,	M. W. Ferguson,	George R. McKee,
George W. Anderson,	W. W. Frazer,	Edward Myall,
J. M. Atherton,	Robert T. Glass,	Joshua B. Parks,
Wm. F. Barret,	Clinton Griffith,	E. A. Pearson,
D. M. Bowen,	Thomas H. Hays,	Elijah C. Phister,
William B. Caldwell,	William Irwin, sr.,	William S. Richart,
J. S. Chrisman,	George M. Jessee,	George W. Riddle,
Joseph M. Davidson,	Alfred M. Jones,	Robert Simmons,
J. C. DeMoss,	James Kilgore,	R. K. Smith—32.
H. G. Duerson,	Francis M. Lowe,	

Those who voted in the negative, were—

P. W. Barron,	L. D. Good,	T. H. Moss,
J. F. Baugh,	D. Hambleton,	W. H. Pettus,
Rob't C. Beauchamp,	Ben. Hardin,	G. W. Quick,
John W. Blue,	J. L. Hibbs,	G. W. Silvertooth,
Howell Brewer,	J. R. Hindman,	George W. Terrell,
E. Burr,	Elijah Hogan,	P. M. Thurmond,
Thomas H. Corbett,	R. E. Humphrey,	W. J. Webb,
F. R. Davis,	Elijah Hurst,	John F. Wight,
Asbury Dawson,	G. W. Little,	John Wolf,
D. E. Downing,	William J. McElroy,	Hugh H. York—30.

And so said motion was disagreed to.

Leave was given to bring in the following bills, viz:

On motion of Mr. Terrell—

1. A bill incorporating the town of Union, in Boone county.

On motion of Mr. Kilgore—

2. A bill to amend section 651 of the Civil Code of Practice.

On motion of Mr. Smith—

3. A bill for the benefit of Germantown and Bridgeville Turnpike Road Company.

On motion of same—

4. A bill to incorporate the town of Tietsville, in Bracken county.

On motion of Mr. Combs—

5. A bill for the benefit of Granville Jones.

On motion of Mr. Hamilton—

6. A bill for the benefit of school district No. 31, in Breckinridge county.

On motion of Mr. Geisler—

7. A bill to amend the charter of the city of Newport.

On motion of Mr. DeMoss—

8. A bill to incorporate the Robertson Society and Literary Company of Newport.

On motion of Mr. Geisler—

9. A bill to incorporate the district of Hayfield, in Campbell county.

On motion of Mr. Griffith—

10. A bill to incorporate the Hebrew Adath Israel Congregation of the city of Owensboro.

On motion of Mr. Davidson—

11. A bill to amend an act to reduce the price of vacant lands in this Commonwealth, approved March 9, 1854.

On motion of same—

12. A bill to amend and reduce into one the acts incorporating the town of Paintsville, in the county of Johnson.

On motion of Mr. McKee—

13. A bill to regulate the weight of Rockcastle coal.

On motion of same—

14. A bill to authorize the Garrard circuit court to direct a sale of the Lancaster and Crab Orchard Turnpike Road to liquidate the indebtedness of the company.

On motion of same—

15. A bill to incorporate the Lancaster, Fall Lick, and Mount Vernon Turnpike Road Company.

On motion of Mr. Hogan—

16. A bill to incorporate the town of Glencoe, in Gallatin county, and establishing the corporate limits thereof.

On motion of Mr. Hurst—

17. A bill for the benefit of the surveyor's office of Harlan county.

On motion of Mr. Parks—

18. A bill to amend the charter of the Louisville and Salt River Turnpike Road Company.

On motion of Mr. York—

19. A bill for the benefit of Wm. Tinsley, late sheriff of Knox county.

On motion of Mr. McKee—

20. A bill to repeal an act to establish the Louisville chancery court, approved February 28, 1835, and all acts and parts of acts amending the same, and supplemental acts thereto.

On motion of Mr. Jessee—

21. A bill to incorporate the New Castle and Sulphur Turnpike Road Company.

On motion of same—

22. A bill to amend the charter of the Pleasureville, Bethlehem, and Kentucky River Turnpike Road Company.

On motion of same—

23. A bill to incorporate the Eminence and Sulphur Station Turnpike Road Company.

On motion of same—

24. A bill to amend the charter of the town of Pleasureville, Henry county.

On motion of Mr. Baugh—

25. A bill for the benefit of James F. Carson, of Rockcastle county.

On motion of same—

26. A bill for the benefit of John M. Fish, of Rockcastle county.

On motion of Mr. Good—

27. A bill to establish and regulate the office of county treasurer of Lincoln county.

On motion of Mr. Burr—

28. A bill to amend an act, entitled "An act to amend an act to incorporate the Owensboro and Russellville Railroad Company," approved March 15, 1870.

On motion of same—

29. A bill to increase the county levy of Logan county for the years 1871, 1872, 1873, and 1874.

On motion of Mr. Caldwell—

30. A bill to amend the charter of the Louisville and Nashville Railroad Company.

On motion of Mr. Barret—

31. A bill to incorporate the Teutonia Maeunerchor of Louisville.

On motion of Mr. Hibbs—

32. A bill for the benefit of the surveyor of Marshall county.

On motion of same—

33. A bill to authorize the Livingston county court to levy an additional tax to pay off the indebtedness of said county.

On motion of Mr. Humphrey—

34. A bill for the benefit of James C. Moorman, of Muhlenburg county.

On motion of Mr. Wrather—

35. A bill to amend the charter of the town of Concordia, in Meade county.

On motion of Mr. Downing—

36. A bill requiring litigants in courts of this Commonwealth, where summons is served in a different county than that where the suit is situated, to accompany such summons with the fees allowed officers executing the same.

On motion of Mr. Kendall—

37. A bill for the benefit of Wm. Green, of Elliott county.

On motion of same—

38. A bill to amend the act incorporating the town of West Liberty, in Morgan county.

On motion of Mr. McAfee—

39. A bill to prohibit the granting of license for the sale of spirituous or vinous liquors in the town of Harrodsburg, or within two miles thereof.

On motion of same—

40. A bill to abolish the July term of the Mercer circuit court.

On motion of same—

41. A bill for the benefit of circuit court clerks of this Commonwealth.

On motion of same—

42. A bill to amend the 1st section of an act in relation to the duties of clerks of courts, approved March 2, 1860.

On motion of same—

43. A bill to provide for the payment of the grand and petit jurors of the Mercer circuit court at its November term, 1870.

On motion of same—

44. A bill to legalize the second day's business of the Mercer circuit court, November term, 1870.

On motion of Mr. Adams—

45. A bill for the benefit of George Robinson, of Casey county.

On motion of Mr. York—

19. A bill for the benefit of Wm. Tinsley, late sheriff of Knox county.

On motion of Mr. McKee—

20. A bill to repeal an act to establish the Louisville chancery court, approved February 28, 1835, and all acts and parts of acts amending the same, and supplemental acts thereto.

On motion of Mr. Jessee—

21. A bill to incorporate the New Castle and Sulphur Turnpike Road Company.

On motion of same—

22. A bill to amend the charter of the Pleasureville, Bethlehem, and Kentucky River Turnpike Road Company.

On motion of same—

23. A bill to incorporate the Eminence and Sulphur Station Turnpike Road Company.

On motion of same—

24. A bill to amend the charter of the town of Pleasureville, Henry county.

On motion of Mr. Baugh—

25. A bill for the benefit of James F. Carson, of Rockcastle county.

On motion of same—

26. A bill for the benefit of John M. Fish, of Rockcastle county.

On motion of Mr. Good—

27. A bill to establish and regulate the office of county treasurer of Lincoln county.

On motion of Mr. Burr—

28. A bill to amend an act, entitled "An act to amend an act to incorporate the Owensboro and Russellville Railroad Company," approved March 15, 1870.

On motion of same—

29. A bill to increase the county levy of Logan county for the years 1871, 1872, 1873, and 1874.

On motion of Mr. Caldwell—

30. A bill to amend the charter of the Louisville and Nashville Railroad Company.

On motion of Mr. Barret—

31. A bill to incorporate the Teutonia Maeunerchor of Louisville.

On motion of Mr. Hibbs—

32. A bill for the benefit of the surveyor of Marshall county.

On motion of same—

33. A bill to authorize the Livingston county court to levy an additional tax to pay off the indebtedness of said county.

On motion of Mr. Humphrey—

34. A bill for the benefit of James C. Moorman, of Muhlenburg county.

On motion of Mr. Wrather—

35. A bill to amend the charter of the town of Concordia, in Meade county.

On motion of Mr. Downing—

36. A bill requiring litigants in courts of this Commonwealth, where summons is served in a different county than that where the suit is situated, to accompany such summons with the fees allowed officers executing the same.

On motion of Mr. Kendall—

37. A bill for the benefit of Wm. Green, of Elliott county.

On motion of same—

38. A bill to amend the act incorporating the town of West Liberty, in Morgan county.

On motion of Mr. McAfee—

39. A bill to prohibit the granting of license for the sale of spirituous or vinous liquors in the town of Harrodsburg, or within two miles thereof.

On motion of same—

40. A bill to abolish the July term of the Mercer circuit court.

On motion of same—

41. A bill for the benefit of circuit court clerks of this Commonwealth.

On motion of same—

42. A bill to amend the 1st section of an act in relation to the duties of clerks of courts, approved March 2, 1860.

On motion of same—

43. A bill to provide for the payment of the grand and petit jurors of the Mercer circuit court at its November term, 1870.

On motion of same—

44. A bill to legalize the second day's business of the Mercer circuit court, November term, 1870.

On motion of Mr. Adams—

45. A bill for the benefit of George Robinson, of Casey county.

On motion of Mr. Wight—

46. A bill authorizing the issue of county bonds by the court of claims of Shelby county.

On motion of Mr. Frazer—

47. A bill for the benefit of E. M. Black, sheriff of Todd county.

On motion of same—

48. A bill for the benefit of the judge of the Todd county court.

On motion of Mr. Quick—

49. A bill to incorporate Canton Lodge, No. 132, I. O. O. F.

On motion of Mr. Little—

50. A bill to repeal an act, entitled "An act for the benefit of the citizens of the town of Williamsburg, in Whitley county."

On motion of Mr. Riddle—

51. A bill for the benefit of school districts Nos. 4 and 50, for the year 1869, and district No. 34 for 1868, in Union county.

On motion of Mr. Blue—

52. A bill to enable the Crittenden county court to raise a fund to rebuild the court-house.

On motion of same—

53. A bill for the benefit of Berry S. Young, late clerk of the Crittenden county court.

On motion of same—

54. A bill to enable the trustees of common school districts to levy an annual tax upon the taxable property of their respective districts sufficient to enable them to have a five months' school in each district, and for other purposes.

On motion of Mr. Silvertooth—

55. A bill to secure more prompt and certain payment of revenue and other money collected by sheriffs in this Commonwealth.

Ordered, That the Committee on Corporate Institutions prepare and bring in the 1st, 3d, 4th, 9th, 10th, 12th, 16th, 31st, 35th, and 49th; the Committee on Codes of Practice the 2d; the Committee on Propositions and Grievances the 5th, 37th, 46th, 50th, and 52d; the Committee on Education the 6th, 8th, 51st, and 54th; the Committee on the Judiciary the 7th, 14th, and 15th; the Committee on Revised Statutes the 11th, 24th, 36th, 38th, and 55th; the Committee on County Courts the 17th, 27th, 29th, 32d, 33d, 34th, 48th, and 53d; the Committee on Internal Improvement the 18th, 21st, 22d, and 23d; the Committee on Ways and Means the 19th and 47th; the Committee on Claims the 25th, 26th, and 45th; the Committee on Railroads the

28th and 30th; the Committee on Circuit Courts the 20th, 40th, 41st, 42d, 43d, and 44th; the Committee on Religion the 39th; and a select committee, consisting of Messrs. McKee, Baugh, and Good, the 13th.

And then the House adjourned.

MONDAY, JANUARY 30, 1871.

The following petitions were presented, viz:

By Mr. Hibbs—

1. The petition of citizens owning lands and residing within two miles of the proposed gravel road from Benton to Paducah, praying that a law may be passed to tax all lands lying within two miles thereof in aid of said road.

By Mr. Davidson—

2. The petition of citizens of Paintsville, Johnson county, praying the passage of a law giving to the board of trustees thereof authority to control the interest of said town in behalf of morality and good order, and for the general improvement of the town.

Which were received, the reading dispensed with, and referred—the 1st to the Committee on Internal Improvement, and the 2d to the Committee on Corporate Institutions.

Leave was given to bring in the following bills, viz:

On motion of Mr. Blue—

1. A bill to provide for the payment of certain certificates of indebtedness, audited by the Quarter-Master General and approved by the Governor, now outstanding and unpaid.

On motion of Mr. Burr—

2. A bill for the benefit of school district No. 1, in Logan county.

Ordered, That the Committee on Claims prepare and bring in the 1st, and the Committee on Education the 2d.

A message was received from the Senate, announcing that they had passed bills, which originated in the House of Representatives, of the following titles, viz:

An act for the benefit of common school district No. 35, in Allen county.

An act to amend chapter 15, article 3, section 3, of the Revised Statutes.

An act for the benefit of Martin S. Price, of Logan county.

An act declaring Chadwick's creek, in Boyd county, a navigable stream.

An act to amend the charter of the Springfield, Pleasant Run, and Mackville Turnpike Road Company.

An act to amend an act, entitled "An act to incorporate the Duncansville and Chaplin Turnpike Road Company."

An act declaring certain tributaries of the Kentucky river navigable streams.

An act to reduce into one the acts concerning the town of Barboursville, fixing the boundary of said town, and for other purposes.

An act for the benefit of the trustees of the town of Shepherdsville.

An act to amend the charter of the Shelby Railroad Company.

An act to amend an act, entitled "An act to incorporate the Madisonville and Shawneetown Straight-Line Railroad Company," approved February 18, 1870.

An act to amend an act, entitled "An act for the benefit of the negroes and mulattoes of this Commonwealth," approved February 16, 1866.

An act for the benefit of A. W. Nickell, late sheriff of Johnson county, and his securities.

With amendments to the last two named bills.

And that they had passed bills of the following titles, viz :

1. An act to incorporate the Kentucky Central Railroad Company.

2. An act for the benefit of school district No. 57, in Warren county.

3. An act for the relief of the sheriff of Warren county.

4. An act for the benefit of Rufus G. Salyer, late deputy sheriff of Magoffin county.

5. An act for the benefit of the sheriff of Warren county.

6. An act to authorize the trustees of the town of Leitchfield to discontinue and sell and convey a part of Main cross street in said town.

7. An act to authorize the stockholders of the Hickman and Obion Railroad Company to elect a new board of directors.

8. An act to authorize the sale of the poor-house property in Boyle county, and to reinvest the proceeds in a more suitable place in said county.

Which were read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That they be referred—the 1st and 7th to the Committee on Railroads; the 2d to the Committee on Education; the 3d and 5th to the Committee on Ways and Means; the 4th to the Committee on Claims; and the 6th and 8th to the Committee on County Courts.

Mr. Quick, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to prevent the destruction of fish in Cumberland river, above the falls;

An act to legalize certain acts of the Boone county court;

An act to continue in force an act, entitled "An act to run, mark, and define the line between the counties of Bourbon and Montgomery;"

An act for the benefit of Boone county;

An act for the benefit of Caseyville, in Union county;

An act to amend the charter of the town of Allensville, in Todd county;

An act to repeal part of an act, entitled "An act to authorize the Jackson county court to levy and collect a tax to build a court-house;"

And had found the same truly enrolled.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Quick inform the Senate thereof.

A message was received from the Governor by Mr. Samuels, Assistant Secretary of State, which was taken up and read as follows, viz:

STATE OF KENTUCKY, EXECUTIVE DEPARTMENT,
FRANKFORT, January 30, 1871.

Gentlemen of the House of Representatives:

I herewith transmit the Annual Report of the Adjutant General of this Commonwealth.

J. W. STEVENSON.

[*For Report—See Legislative Document No.* 9.]

On motion of Mr. Cantrill, the Public Printer was directed to print the usual number of copies thereof for the use of the House, and said report was referred to the Committee on Military Affairs.

Mr. Phister, from the Committee on the Judiciary, to whom was recommitted a bill from the Senate, entitled

An act to regulate appeals from police courts and mayor's courts,

Reported the same with an amendment.

Said amendment was adopted.

Ordered, That said bill, as amended, be read a third time.

Said bill was then read a third time.

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Bills were reported by the several committees, who were directed to prepare and bring in the same, of the following titles, viz:

By Mr. Good, from the Committee on Religion—

1. A bill to protect citizens of this Commonwealth, outside the limits of incorporated cities and towns in the peaceful worship of God.

By Mr. DeMoss, from the Committee on Education—

2. A bill to authorize cities and towns, to establish independent common school systems.

By Mr. Hindman, from the Committee on Corporate Institutions—

3. A bill to incorporate the Industrial Association of Union county.

Which were read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That the 1st and 3d be recommitted to the Committee on the Judiciary, and the 2d be printed and placed in the orders of the day.

Mr. Pettus, from the Committee on Internal Improvement, to whom was recommitted a bill, entitled

A bill for the benefit of John B. Blair and William Johnson, of Edmonson county,

Reported the same without amendment, and with the expression of opinion that said bill ought not to pass.

And the question being taken, "Shall the bill be read a third time?" it was decided in the negative.

And so said bill was rejected.

Mr. Duerson moved to reconsider the vote by which, on a former day, the House rejected a bill, entitled

A bill for the benefit of Mrs. Letitia Garrard, widow of the late James H. Garrard, deceased.

Said motion was placed in the orders of the day.

On motion, leave of absence, indefinitely, was granted to Mr. Terrell.

Mr. McKee, from the Committee on Revised Statutes, to whom was referred a bill from the Senate, entitled

An act amending the several laws in relation to special judges of county and quarterly courts,

Reported the same without amendment, and with the expression of opinion that said bill ought not to pass.

And the question being taken, "Shall the bill be read a third time?" it was decided in the negative.

And so said bill was disagreed to.

Bills from the Senate were reported, without amendment, by the committees to whom they had been referred, of the following titles, viz:

By Mr. Barret, from the Committee on Education—

An act authorizing school district No. 16, in Fulton county, to vote a tax to purchase school-house and lot.

By Mr. Glass, from the Committee on Banks—

An act to incorporate the Caverna Deposit Bank.

By Mr. Thurmond, from the Committee on County Courts—

An act changing the time of holding the Carroll county court.

Ordered, That said bills be read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

A message was received from the Governor by Mr. Samuels, Assistant Secretary of State, announcing that he had approved and signed enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act for the benefit of H. M. Wade, late sheriff of Marshall county.

An act to provide for the establishment of the line between Franklin and Owen counties.

An act to extend the boundary of the town of South Carrollton.

An act to amend an act authorizing the presiding judge of Fayette county to appoint a treasurer to serve during his term.

An act to provide for the erection of school buildings in the town of Cloverport.

An act changing the time of holding county courts in Harrison county.

An act for the benefit of school district No. 41, in Knox county.

An act to amend an act, approved March 17, 1870, to change the time of holding circuit courts in the eleventh judicial district.

An act to amend the charter of Swift's Iron and Steel Works, in Campbell county.

An act to change the times for holding the Garrard circuit court;

An act to regulate the holding of the special term of the Bourbon circuit court.

An act to amend the charter of the Florence and Independence Turnpike.

An act to amend an act, entitled "An act to incorporate the Shelby County Agricultural and Mechanical Association."

An act to authorize the legal voters of the county of Lee to locate the county seat of said county by a vote.

Bills were reported by the several committees, who were directed to prepare and bring in the same, of the following titles, viz:

By Mr. Barron, from the Committee on Propositions and Grievances—

A bill to prevent the sale of spirituous liquors, &c., in the town of Burksville, in Cumberland county.

By Mr. Duerson, from the Committee on Religion—

A bill to prohibit the granting of license for the sale of spirituous or vinous liquors in the town of Harrodsburg, or within two miles thereof.

By Mr. Good, from the same committee—

A bill empowering the trustees of Salem Presbyterian Church, in Clark county, to sell and convey certain lots or tracts of land on which their parsonage property and house of worship are situated, with authority to reinvest the proceeds of the sale.

By Mr. DeMoss, from the Committee on Education—

A bill to incorporate the Robertson Society and Literary Company of Newport.

By Mr. Griffith, from the Committee on Corporate Institutions—

A bill to incorporate the Hebrew Adath Israel congregation of the city of Owensboro.

By same—

A bill to amend an act, entitled "An act to incorporate the Henderson German School Association," approved February 5, 1869.

By same—

A bill to incorporate the town of Sebree City, in Webster county.

By same—

A bill to incorporate the town of Centre, in Metcalfe county.

By same—

A bill to incorporate Napoleon Lodge, No. 216, of Ancient York Masons.

By same—

A bill to incorporate the Widow and Orphans' Cemetery Company of Crab Orchard Lodge, No. 108, I. O. O. F.

By same—

A bill to amend an act, entitled "An act to extend the limits of the town of Warsaw, and to amend, consolidate, and reduce into one all laws pertaining to said town," approved February 25, 1869.

By same—

A bill to establish a cemetery in the town of Tollsboro, in Lewis county.

By same—

A bill to incorporate Crab Orchard Lodge, No. 108, I. O. O. F.

By same—

A bill to incorporate Canton Lodge, No. 132, of the Independent Order of Good Fellows.

By Mr. Pettus, from the Committee on Internal Improvement—

A bill to authorize the board of councilmen of the city of Frankfort to subscribe to the capital stock of the Frankfort and Flat Creek Turnpike Road Company.

By same—

A bill to amend an act, entitled "An act to incorporate the Covington and Horse Branch Turnpike Road Company."

By same—

A bill regulating the rate of freights and tolls on the Paris and North Middletown Turnpike Road.

By same—

A bill to repeal an act, entitled "An act to amend the charter of the Bath and Montgomery County Associated Turnpike Road Company."

By same—

A bill to amend the charter of the Covington and DeCourcey Creek Turnpike Road Company.

By same—

A bill for the benefit of Enoch Creech, of Clay county.

By Mr. Glass, from the Committee on Banks—

A bill for the benefit of the several banks of issue of the Commonwealth.

By Mr. Thurmond, from the Committee on County Courts—

A bill to authorize the court of claims of Johnson county to levy and collect an ad valorem and poll-tax for county purposes.

By same—

A bill authorizing the county court clerk to furnish cross-indexes for certain record books in Cumberland county.

By same—

A bill concerning the retail of spirituous, vinous, or malt liquors in a part of Jefferson county.

By Mr. Smith, from the same committee—

A bill to regulate and fix the county levy for Laurel county.

By same—

A bill to amend an act, entitled "An act creating a sinking fund for Montgomery county," passed March 10, 1856.

Which were read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Glass, from the Committee on Banks, who were directed to prepare and bring in the same, reported

A bill to amend the charter of the German Insurance Company of Louisville.

Which was read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be recommitted to the Committee on Banks.

Mr. Thurmond, from the Committee on County Courts, to whom was recommitted a bill, entitled

A bill in relation to the sinking fund of Clark county,

Reported the same without amendment.

Ordered, That said bill be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. McKee, from the Committee on Revised Statutes, to whom was referred a bill from the Senate, entitled

An act to amend section 26, chapter 80, of the Revised Statutes, title "Real Estate,"

Reported the same without amendment, and with the expression of opinion that said bill ought not to pass.

Mr. Blue moved an amendment to said bill.

Mr. Davidson moved to postpone the further consideration of said bill to the 4th day of March next.

The question being taken thereon, but no quorum voting, said bill was placed in the orders of the day.

And then the House adjourned.

TUESDAY, JANUARY 31, 1871.

Mr. Downing presented the petition of citizens of Monroe county, praying the passage of an act in aid of the Cincinnati Southern Railway.

Which was received, the reading dispensed with, and directed to be filed with other petitions on that subject.

Leave was given to bring in the following bills, viz:

On motion of Mr Price—

1. A bill for the benefit of the common schools of Fayette county.

On motion of Mr. Chrisman—

2. A bill to change the time of holding the circuit courts in the thirteenth judicial district.

On motion of Mr. Harcourt—

3. A bill authorizing the Bullitt county court of claims to levy a tax to build a court-house and fire-proof vaults.

On motion of Mr. Richart—

4. A bill for the benefit of the North Middletown and Mount Sterling Turnpike Road Company, and to amend an act incorporating said company.

Ordered, That the Committee on Education prepare and bring in the 1st; the Committee on Circuit Courts the 2d; the Committee on County Courts the 3d; and the Committee on Internal Improvement the 4th.

On motion, leave of absence, indefinitely, was granted to Mr. Frazer.

Mr. Cantrill moved to reconsider the vote by which, on yesterday, the House passed a bill, entitled

A bill for the benefit of the several banks of issue of the Commonwealth.

And the question being taken on the motion of Mr. Cantrill, it was decided in the affirmative.

And so said vote was reconsidered.

Said bill was then placed in the orders of the day.

The House then resumed the consideration of the unfinished order of yesterday, viz: a bill from the Senate, entitled

An act to amend section 26, chapter 80, of the Revised Statutes, title "Real Estate."

Mr. Price then moved to postpone the further consideration of said bill until the 10th day of March next.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Blue and Barret, were as follows, viz:

Those who voted in the affirmative, were—

Silas Adams,	H. G. Duerson,	Thomas H. Moss,
Ervin Anderson,	James P. Ford,	Edward Myall,
J. M. Atherton,	Robert T. Glass,	Joshua B. Parks,
P. W. Barron,	L. D. Good,	E. A. Pearson,
J. F. Baugh,	Clinton Griffith,	Elijah C. Phister,
Rob't C. Beauchamp,	D. Hambleton,	Douglass L. Price,
D. M. Bowen,	Ashton P. Harcourt,	G. W. Quick,
Howell Brewer,	T. H Hay,	Wm. S. Richart,
E. Burr,	J. L. Ibbo,	Henry H. Skiles,
Landon Carter,	Elijah Hogan.	R K. Smith,
J. S. Chrisman,	Wm. Irwin, sr.,	R. M. Spalding,
I. B. Combs,	John W. Kendall,	W. J. Webb,
Joseph M. Davidson,	James Kilgore,	John F. Wight,
F. R. Davis,	J. J. McAfee,	L. Wilson,
Asbury Dawson,	James B. McCreary,	S. M. Wrather,
J. C. DeMoss,	George R. McKee,	Hugh H. York—50.
D. E. Downing,	Thomas E. Moss,	

Those who voted in the negative, were—

Wm. F. Barret,	James R. Hindman,	W. H. Pettus,
John W. Blue,	Jeff. Holeman,	George W. Riddle,
Samuel W. Brents,	Alfred M. Jones,	P. M. Thurmond,
John N. Furber,	William J. McElroy,	John Wolf—13.
Samuel G. Geisler,		

Mr. McKee, from the Committee on Revised Statutes, to whom was recommitted a bill, entitled

A bill to provide additional security to railroad passengers within this Commonwealth,

Reported the same without amendment, and with the expression of opinion that said bill ought not to pass.

On motion of Mr. Wight,

Ordered, That said bill be printed, and made the special order of the day for Friday, 3d February, at 11 o'clock, A. M.

The House then took up the amendment proposed by the Senate to a bill, which originated in the House of Representatives, entitled

A bill to revise, digest, and compile the statute laws of this State.

On motion of Mr. McKee,

Ordered, That said amendment be printed, and made the special order of the day for Thursday, February 2d, at 11 o'clock.

Mr. McCreary, from the Committee on Revised Statutes, who were directed to prepare and bring in the same, reported

A bill to amend section 1, article 1, chapter 84, Revised Statutes, title "Roads and Passways."

Which was read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Mr. Wight moved an amendment thereto, which was adopted.

Mr. Thurmond moved an amendment, which was rejected.

Mr. Wolf then moved to lay said bill and amendment on the table.

And the question being taken on the motion of Mr. Wolf, it was decided in the negative.

Mr. Atherton moved to reconsider the vote by which the amendment of Mr. Wight was adopted.

And the question being taken on the motion of Mr. Atherton, it was decided in the negative.

Ordered, That said bill, as amended, be engrossed and read a third time.

Said bill was then read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That section 1 of article 1, chapter 84, of Revised Statutes, title "Roads and Passways," be, and the same is hereby, so amended, as to authorize applications for roads to be opened to any point where the county court may believe the public travel requires it: *Provided*, That this act shall not apply to the county of Shelby.

§ 2. This act shall take effect from its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Wight and Thurmond, were as follows, viz:

Those who voted in the affirmative, were—

J. M. Atherton,	D. E. Downing,	John W. Kendall,
Wm. F. Barret,	H. G. Duerson,	James Kilgore,
P. W. Barron,	James P. Ford,	James B. McCreary,
J. F. Baugh,	John N. Furber,	George R. McKee,
Robt C. Beauchamp,	Robert T. Glass,	Edward Myall,
John W. Blue,	L. D. Good,	Elijah C. Phister,

Samuel W Brents,	Clinton Griffith,	Douglass L. Price,
Howell Brewer,	Ashton P. Harcourt,	William S. Richart,
E. Burr,	T. H. Hays,	Robert Simmons,
William B. Caldwell,	James R. Hindman,	R. K. Smith,
James E. Cantrill,	Wm. Irwin, sr.,	Richard M. Spalding,
J. S Chrisman,	George M. Jessee,	W. J. Webb,
I. B. Combs,	Alfred M. Jones,	Hugh H. York—39.

Those who voted in the negative, were—

Mr. SPEAKER (Bunch),	D. Hambleton,	W. H. Pettus,
Ervin Anderson,	Wm. M. Hamlin,	G. W. Quick,
D. M. Bowen,	J. L. Hibbs,	Henry H. Skiles,
Landon Carter,	Elijah Hogan,	P. M. Thurmond,
Joseph M. Davidson,	Francis M. Lowe,	John F. Wight,
F. R. Davis,	Thomas E. Moss,	L. Wilson,
Asbury Dawson,	Thomas H. Moss,	John Wolf,
J. C. DeMoss,	Joshua B. Parks,	S M. Wrather—26.
Samuel G. Geisler,	E. A. Pearson,	

Resolved, That the title of said bill be as aforesaid.

Bills were reported by the Committee on Revised Statutes, who were directed to prepare and bring in the same, of the following titles, viz:

By Mr. McCreary—

A bill for the better securing land titles against secret encumbrance.

By Mr. Kendall—

A bill authorizing the posting of lands.

Which were read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be printed and placed in the orders of the day.

A message was received from the Governor by Mr. Samuels, Assistant Secretary of State, announcing that he had approved and signed enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act for the benefit of Boone county.

An act to repeal part of an act, entitled "An act to authorize the Jackson county court to levy and collect a tax to build a court-house."

An act to amend the charter of the town of Allensville, in Todd county.

An act to continue in force an act, entitled "An act to run, mark, and define the line between the counties of Bourbon and Montgomery."

An act to legalize certain acts of the Boone county court.

An act for the benefit of Caseyville, in Union county.

An act to prevent the destruction of fish in Cumberland river, above the falls.

A message was received from the Governor by Mr. Samuels, Assistant Secretary of State, which was taken up and read as follows, viz:

STATE OF KENTUCKY, EXECUTIVE DEPARTMENT,
FRANKFORT, January 31, 1871.

Gentlemen of the Senate and House of Representatives:

A rumor reached me three days ago that an attempt at personal violence upon the Mail Agent on the downward train of the Lexington and Louisville Railroad had been made on the 26th inst., by some unknown person or persons, at North Benson Depot, in Shelby county.

I waited a day, hoping that some official statement would be made to me of this reported act of violence.

Receiving none, I directed the Adjutant General of the State to dispatch some reliable agent to North Benson, ascertain the facts attending the alleged assault, and report immediately. My request was promptly complied with, and I now transmit the written report of the Adjutant General touching this attempted assault upon the Mail Agent at that place.

No recommendation from me is necessary, I trust, to call forth promptly from you an indignant rebuke of this open violation, both of the laws of the United States and those of Kentucky.

You owe it to both Governments promptly to enact such laws as will tend to the capture of the offenders, and certainly prevent the recurrence of any such attempt in the future by bad men upon any officer or agent of the Federal or State Government.

As the Chief Magistrate of this Commonwealth, I have no power to take any step under the present law for the arrest or apprehension of these lawless offenders upon one of the most important agencies of the United States Government.

I do not possess the power to offer a reward for their apprehension, unless requested to do so by the civil authorities of the county within whose territorial limits the alleged offense was committed. I have no authority to order out either a civil *posse* or a militia force for the arrest of these men, except at the request of the civil authority, and none such has been made upon me.

The highest and most solemn duty of the General Assembly is to apply some prompt corrective to the increasing spirit of insubordination to law, and the open and daring attempts by bad men at its overthrow. I have too recently expressed at length my opinion on this subject to require repetition.

If our present laws are defective, amend them. If new ones are demanded by public exigencies, promptly enact them. If the means and agencies for the execution of the laws are defective and inefficient, then supply them, and confer upon the State officials charged with their execution discretion and authority to enforce obedience.

The Constitution of the United States, which created the Government of the Union, has made it wholly independent of the States for the execution of the powers assigned to it. Its means are adequate to its ends. It looks, therefore, to no State Government or State agency for the accomplishment of its constitutional objects.

But while this is true, it is the paramount duty of every State in the American Union to lend their prompt and ready assistance for the protection and safe accomplishment of all constitutional ends of the Federal Government within their territorial limits. If bad men seek to embarrass or obstruct such agencies, let the State authorities be as ready as those of the United States to bring such offenders to punishment. Such has always been the action of Kentucky in the past, and such, I doubt not, will it be in the future.

J. W. STEVENSON.

ADJUTANT GENERAL'S OFFICE,
FRANKFORT, KY., January 30, 1871.

To His Excellency, JOHN W. STEVENSON, *Governor and Commander-in-Chief:*

SIR: In accordance with your instructions, directing me to ascertain the facts connected with the late assault upon the United States Mail Agent at North Benson Depot, in Shelby county, on the 26th inst., I have the honor to report, that I sent a reliable agent to the scene on the 29th inst., who returned with the inclosed statement of facts, as given by Mr. H. C. Hodges, the local Mail Agent and Depot-Master at that Depot.

Very respectfully,

J. STODDARD JOHNSTON,
Adjutant General of Kentucky.

[COPY.]

LOUISVILLE, CINCINNATI, AND LEXINGTON RAILROAD,
NORTH BENSON STATION, January 29, 1871.

I hailed the train for a passenger to go to Louisville. Four strangers rode up just before the 3:45 train was due. When the train was within seventy-five yards of the station, the stoutest man of the party stepped out on the platform and drew a Colt's navy revolver, saying he intended to kill the negro Mail Agent. I begged him to desist, and called on some gentlemen to disarm him. His own friends came around him and took his pistol from him. When the train was even with the platform, and running very slow, the man, still bent on assaulting the negro, jumped into the mail-car alone, and attempted to drag the Mail Agent out; but the train moving off very quick, he was frustrated, and jumped from the train after it was in motion. There was only one man entered the car; the other three ran up alongside of the mail-car, but took no part. After the train started off, one of the men fired a pistol into the air. The men were all strangers in this section, and rode off as soon as the train went out of sight.

(Signed) H. C. HODGES.

NORTH BENSON, January 30, 1871.

I sent a correct statement of the whole affair to the Louisville Commercial on the 27th inst.

(Signed) H. C. HODGES.

On motion of Mr. Phister, said message and accompanying documents were referred to the select committee raised on law and order.

Mr. Kendall, from the Committee on Revised Statutes, who were directed to prepare and bring in the same, reported

A bill to amend an act, entitled "An act to reduce the price of vacant lands in this Commonwealth," approved March 9, 1854.

Which was read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

The House then took up for consideration a resolution from the Senate, entitled

Resolution in relation to the common school law.

Mr. Glass moved an amendment thereto.

Which was adopted.

On motion of Mr. Price, said resolution and amendment were referred to the Committee on Education.

A message was received from the Senate, announcing that they had received official information that the Governor had approved and signed an enrolled bill, which originated in the Senate, entitled

An act relating to school district No. 14, in Simpson county.

That they had passed bills, which originated in the House of Representatives, of the following titles, viz:

An act to continue in force for five years an act, entitled "An act for the benefit of Crittenden county," approved February 10, 1865.

An act to authorize the Crittenden county court to issue county bonds to aid in rebuilding the court house in said county.

An act for the benefit of Samuel Biggerstaff, late sheriff of Madison county.

And that they had passed bills of the following titles, viz:

1. An act to incorporate the Kentucky High School at Frankfort.

2. An act authorizing the county courts of Estill and Lee to permit persons to erect gates across the public road leading from Irvine to Beattyville.

Which were read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That they be referred—the 1st to the Committee on Education, and the 2d to the Committee on County Courts.

Mr. Quick, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act for the benefit of common school district No. 35, in Allen county;

An act to regulate the election of a treasurer for Bourbon county;

An act to amend chapter 15, article 3, section 3, of the Revised Statutes;

An act for the benefit of Estill Seminary;

An act for the benefit of St. Peter's Protestant Episcopal Church, in Paris;

An act for the benefit of Martin S. Price, of Logan county;

An act declaring Chadwick's creek, in Boyd county, a navigable stream;

An act to amend the charter of the Springfield, Pleasant Run, and Mackville Turnpike Road Company;

An act to amend an act, entitled "An act to incorporate the Duncansville and Chaplin Turnpike Road Company;"

An act declaring certain tributaries of the Kentucky river navigable streams;

An act for the benefit of the trustees of the town of Shepherdsville;

An act to amend the charter of the Shelby Railroad Company;

An act to amend an act, entitled "An act to incorporate the Madisonville and Shawneetown Straight-Line Railroad Company," approved February 18, 1870;

And had found the same truly enrolled.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Quick inform the Senate thereof.

And then the House adjourned.

WEDNESDAY, FEBRUARY 1, 1871.

The following petitions were presented, viz:

By Mr. Hibbs—

1. The petition of citizens of Livingston county, praying that a law may be passed to allow J. R. Hooks, of said county, to peddle without charge.

By Mr. Phister—

2. The petition of citizens of Murphysville and vicinity, in Mason county, praying the passage of a law prohibiting the Murphysville Turnpike Road Company from erecting a toll-gate within one mile of the corporate limits of said town.

Which were received, the reading dispensed with, and referred—the 1st to the Committee on Propositions and Grievances, and the 2d to the Committee on Internal Improvement.

A message was received from the Senate, announcing that they had received official information that the Governor had approved and signed an enrolled bill, which originated in the Senate, entitled

An act concerning the Court of Appeals.

That they had passed bills, which originated in the House of Representatives, of the following titles, viz:

An act to amend an act, entitled "An act to incorporate the Hopkins Coal Company," approved February 18, 1867.

An act for the benefit of the judge of the city court of Louisville.

An act to prohibit the granting of license for the sale of spirituous or vinous liquors in the town of Harrodsburg, or within two miles thereof.

And that they had passed bills of the following titles, viz:

1. An act to amend section 345, title 9, chapter 2, article 1, of the Civil Code of Practice.

2. An act for the benefit of John C. Gardner, late clerk of the Fulton circuit court.

3. An act to amend the law in relation to county judges, approved February 13, 1858.

Which were read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That they be referred—the 1st to the Committee on Codes of Practice; the 2d to the Committee on Ways and Means; and the 3d to the Committee on County Courts.

Mr. Quick, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the Senate, of the following titles, viz:

An act changing the time of holding the Carroll county court;

An act to incorporate the Caverna Deposit Bank;

An act authorizing school district No. 10, in Fulton county, to vote a tax to purchase school-house and lot;

And also enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to amend the charter of the town of New Concord, in Calloway county;

An act to reduce into one the acts concerning the town of Barboursville, fixing the boundary of said town, and for other purposes;

An act to continue in force for five years an act, entitled "An act for the benefit of Crittenden county," approved February 10, 1865;

An act to authorize the Crittenden county court to issue county bonds to aid in rebuilding the court-house in said county;

An act for the benefit of Samuel Biggerstaff, late sheriff of Madison county;

And had found the same truly enrolled.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Quick inform the Senate thereof.

The Speaker laid before the House the report of the Keeper of the Penitentiary.

[*For Report—See Legislative Document No.* 10.]

On motion of Mr. Hindman, the Public Printer was directed to print the usual number of copies for the use of the House, and two hundred copies for the use of the Institution; and said report was referred to the Committee on the Penitentiary.

The House took up from the orders of the day a bill, entitled

A bill to regulate the pay of officers and attaches of the Senate and House of Representatives, and for other purposes.

On motion, the consideration of said bill was postponed to, and made the special order of the day for, to-morrow, at 10½ o'clock, A. M.

Mr. Caldwell, from the Committee on Corporate Institutions, to whom was referred a bill from the Senate, entitled

An act amending an act, entitled "An act to provide for the organization and regulation of incorporated companies, except banking, insurance, and railroad companies," approved March 15, 1870,

Reported the same with amendments thereto.

Said amendments were adopted.

Mr. Cantrill moved a substitute for said bill and amendments.

And the question being taken on the adoption thereof, it was decided in the negative.

Ordered, That said bill, as amended, be read a third time.

Said bill, as amended, was then read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That section one of an act, entitled "An act to provide for the organization and regulation of incorporated companies, except banking, insurance, and railroad companies," approved March 15th, 1870, be, and the same is, amended by adding to said section, after the word "railroads," the word "turnpikes," so that the section, as amended, shall read as follows: "That any number of persons may associate themselves together and become incorporated for the transaction of any lawful business, except banking and insurance, and for the construction of railroads and turnpikes; but such incorporation shall confer no powers or privileges not possessed by natural persons, except as hereinafter provided."

§ 2. The title of said act, approved March 15, 1870, is hereby amended by inserting therein, between the word "insurance" and the word "and," the word "turnpike."

§ 3. This act shall take effect from its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Cantrill and DeMoss, were as follows, viz:

Those who voted in the affirmative, were—

Silas Adams,	F. R. Davis,	G. W. Little,
George W. Anderson,	N. C. Dille,	James B. McCreary,
J. M. Atherton,	D. E. Downing,	George R. McKee,
William F. Barret,	H. G. Duerson,	Edward Myall,
P. W. Barron,	John Duvall,	Joshua B. Parks,
Robert C. Beauchamp,	M. W. Ferguson,	E. A. Pearson,
D. M. Bowen,	L. D. Good,	W. H. Pettus,
Samuel W. Brents,	Clinton Griffith,	Elijah C. Phister,
Howell Brewer,	D. Hambleton,	Douglass L. Price,
E. Burr,	Wm. M. Hamlin,	G. W. Quick,
William B. Caldwell,	James R. Hindman,	William S. Richart,
Landon Carter,	Jeff. Holeman,	Richard M. Spalding,
J. S. Chrisman,	William Irwin, sr.,	John F. Wight,
Thomas T. Cogar,	George M. Jessee,	John Wolf,
I. B. Combs,	James Kilgore,	S. M. Wrather,

R. L. Cooper, Francis M. Lowe, Hugh H. York—49.
Joseph M. Davidson,

Those who voted in the negative, were—

Mr. SPEAKER (Bunch),	Robert T. Glass,	Thomas H. Moss,
John W. Blue,	Ashton P. Harcourt,	George W. Riddle,
James E. Cantrill,	Ben. Hardin,	Robert Simmons,
Asbury Dawson,	J. L. Hibbs,	Henry H. Skiles,
J. C. DeMoss,	Elijah Hogan,	R. K. Smith,
James P. Ford,	Alfred M. Jones,	P. M. Thurmond,
John N. Furber,	William J. McElroy,	L. Wilson—23.
Samuel G. Geisler,	Thomas E. Moss,	

Resolved, That the title of said bill be so amended, if the Senate concur, as to strike therefrom the figures "16," and insert in lieu thereof the figures "15."

A message was received from the Governor by Mr. Samuels, Assistant Secretary of State, announcing that he had approved and signed enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act declaring certain tributaries of the Kentucky river navigable streams.

An act for the benefit of the trustees of the town of Shepherdsville.

An act to amend the charter of the Springfield, Pleasant Run, and Mackville Turnpike Road Company.

An act to incorporate the Monterey Bridge Company.

An act to amend the charter of the Shelby Railroad Company.

An act to regulate the election of a treasurer for Bourbon county.

An act for the benefit of St. Peter's Protestant Episcopal Church, in Paris.

An act for the benefit of Estill Seminary.

An act for the benefit of common school district No. 35, in Allen county.

An act to amend chapter 15, article 3, section 3, of the Revised Statutes.

An act for the benefit of Martin S. Price, of Logan county.

An act to amend an act, entitled "An act to incorporate the Duncansville and Chaplin Turnpike Road Company."

An act to amend an act, entitled "An act to incorporate the Madisonville and Shawneetown Straight-Line Railroad Company," approved 18th February, 1870.

An act declaring Chadwick's creek, in Boyd county, a navigable stream.

Leave was given to bring in the following bills, viz:

On motion of Mr. Price—

1. A bill for the benefit of W. W. Dowden, late sheriff of Fayette county.

On motion of Mr. Kilgore—

2. A bill to regulate the Little Sandy Bridge Company.

On motion of same—

3. A bill to incorporate the Grayson Iron, Coal, and Manufacturing Company.

On motion of Mr. Thurmond—

4. A bill for the benefit of the county attorney of Caldwell county.

On motion of Mr. Geisler—

5. A bill to amend an act to incorporate St. Paul's Protestant Episcopal Church, in Newport.

On motion of Mr. Webb—

6. A bill to prohibit the sale of spirituous, vinous, or malt liquors in Jackson county.

On motion of Mr. Price—

7. A bill concerning the toll-gate near Lexington, on the Harrodsburg Turnpike Road.

On motion of Mr. Davis—

8. A bill for the benefit of the Rock Lick common school district No. 30, in Fleming county.

On motion of Mr. Davidson—

9. A bill to change the time of holding the quarterly courts of Floyd county.

On motion of Mr. Bowen—

10. A bill to amend the charter of the Peak's Mill Turnpike Road Company.

On motion of Mr. Hogan—

11. A bill defining what shall be deemed a lawful fence in Gallatin county, &c.

On motion of Mr. Jessee—

12. A bill to incorporate the Constant Friend Lodge, No. 187, I. O. O. F.

On motion of same—

13. A bill to incorporate the New Castle and Bethlehem Turnpike Company.

On motion of Mr. Wilson—

14. A bill to incorporate the Madisonville, Clarksville, and Columbia Railroad Company.

On motion of Mr. Cogar—

15. A bill to amend the charter of the Pleasant Hill and Jessamine County Turnpike Road Company.

On motion of Mr. Simmons—

16. A bill to incorporate the Covington Cut Brick Company.

On motion of Mr. Atherton—

17. A bill to repeal a part of an act, entitled "An act transferring portions of the Elizabethtown and Bell's Tavern Turnpike Road to the counties of Hardin, Hart, and Barren," approved December 23, 1861.

On motion of Mr. Good—

18. A bill to incorporate the Walnut Flat Church, in Lincoln county.

On motion of Mr. Caldwell—

19. A bill to incorporate the Louisville Elevator Company.

On motion of Mr. T. H. Hays—

20. A bill authorizing the county court of Hardin county to levy a tax to build court-house and other public buildings.

On motion of Mr. Furber—

21. A bill to repeal an act approved January 26, 1871, chapter 1140, entitled "An act to authorize the judge of Ohio county to sign certain orders and legalize the same."

On motion of Mr. Lowe—

22. A bill to legalize the erection of bridge piers in main Licking river, at Falmouth and Butler, in Pendleton county.

Ordered, That the Committee on the Judiciary prepare and bring in the 1st, 2d, 3d, and 21st; the Committee on County Courts the 4th, 9th, and 20th; the Committee on Religion the 6th and 18th; the Committee on Propositions and Grievances the 7th; the Committee on Education the 8th; the Committee on Internal Improvement the 10th, 13th, 15th, 17th, and 22d; the Committee on Agriculture and Manufactures the 11th; the Committee on Corporate Institutions the 12th, 16th, and 19th; the Committee on Railroads the 14th; and a select committee, consisting of Messrs. Furber, Wolf, and DeMoss, the 5th.

Mr. Bowen, from the Committee on Public Offices, who were directed to prepare and bring in the same, reported

A bill to appropriate money to finish the fire-proof offices in the city of Frankfort, and for other purposes.

Which was read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be printed, and made special order of the day for Wednesday, 8th inst., at 11 o'clock, A. M.

Mr. G. W. Anderson, from the Committee on Corporate Institutions, to whom was referred a bill from the Senate, entitled

An act to amend an act, entitled "An act to incorporate the Winchester and Red River Iron Works Turnpike Road Company,"

Reported the same without amendment.

Ordered, That said bill be read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Bills were reported by the several committees, who were directed to prepare and bring in the same, of the following titles, viz:

By Mr. Furber, from a select committee—

A bill to amend an act, entitled "An act to incorporate St. Paul's Protestant Episcopal Church, in Newport, Kentucky," approved February 10, 1845.

By Mr. Good, from the Committee on Religion—

A bill to prohibit the sale or other disposition of spirituous, vinous, or malt liquors near Fox Creek Church, in Anderson county.

Which were read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

The House, according to order, took up for further consideration a bill, entitled

A bill authorizing and directing the sale of the interest and stock owned by the State of Kentucky in turnpike roads or turnpike companies.

Mr. Wolf moved an amendment to said bill.

Mr. Atherton moved an amendment to the amendment of Mr. Wolf.

Mr. Hardin then moved to postpone the consideration of said bill and amendments until Wednesday next, at 10½ o'clock, A. M.

Pending discussion thereon, on motion,

The House adjourned.

THURSDAY, FEBRUARY 2, 1871.

Mr. T. E. Moss presented the petition of citizens of McCracken county, praying the passage of an act creating a new voting precinct in said county.

Which was received, the reading dispensed with, and referred to the Committee on County Courts.

Mr. Quick, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the Senate, of the following titles, viz:

An act to amend the charter of the Ashland and Catlettsburg Turnpike Company;

An act to amend an act, entitled "An act to amend and reduce into one the several acts respecting the town of Hickman," approved March 10, 1854;

And also enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to amend an act, entitled "An act to incorporate the Hopkins Coal Company," approved February 18, 1867;

An act for the benefit of the judge of the city court of Louisville;

An act to prohibit the granting of license for the sale of spirituous or vinous liquors in the town of Harrodsburg, or within two miles thereof;

And had found the same truly enrolled.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Quick inform the Senate thereof.

A message was received from the Senate, announcing that they had received official information that the Governor had approved and signed enrolled bills, which originated in the Senate, of the following titles, viz:

An act for the protection of livery-stable keepers in this Commonwealth.

An act to incorporate the Big Sandy Navigation and Manufacturing Company.

An act to incorporate the town of Earlington.

And that they had passed bills of the following titles, viz:

1. An act to authorize the county court of Franklin county to take a vote to levy a tax for turnpike purposes.

2. An act to separate the offices of commissioner and receiver of the Louisville chancery court, and to provide for the appointment of said officers, and to define their duties, and to fix the fees of the commissioner.

Which were read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That they be referred—the 1st to the Committee on County Courts, and the 2d to the Committee on the Judiciary.

On motion, leave of absence, indefinitely, was granted Messrs. Corbett, E. Anderson, T. H. Moss, and Webb.

Mr. Cantrill moved the following resolution, viz:

WHEREAS, An act has passed the Senate of Kentucky, entitled "An act to separate the offices of commissioner and receiver of the Louisville chancery court, and provide for the appointment of said officers, and to fix the fees of the commissioner;" the effect of which will be to permit the chancellor of the Louisville chancery court to remove from office the present commissioner of that court; and whereas, charges of defalcation, misfeasance in office, and others of a serious character, have been made against said commissioner; and whereas, the enactment of a law empowering the chancellor to remove the said commissioner from office while said charges are pending may work great injustice to said commissioner, inasmuch as such action

will be taken as an indorsement of the said charges, and he be held by the public as guilty, although no proof of guilt be adduced; and whereas, it is but just and right that every man shall be allowed a trial and opportunity of defense; therefore,

Be it resolved by the House of Representatives, That a committee of five be appointed, to proceed to Louisville and investigate the charges against the said commissioner, and report on the same as soon as practicable.

Said resolution being twice read, the question was taken on the adoption thereof, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Atherton and Wight, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker (Bunch),	James P. Ford,	J. J. McAfee,
Silas Adams,	John N. Furber,	James B. McCreary,
J. F. Baugh,	R. T. Glass,	T. E. Moss,
Howell Brewer,	Elijah Hogan,	Edward Myall,
Wm. B. Caldwell,	Jeff. Holeman,	Douglass L. Price,
James E. Cantrill,	Wm. Irwin, sr.,	R. K. Smith,
N. C. Dille,	Alfred M. Jones,	S. M. Wrather—22.
H. G. Duerson,		

Those who voted in the negative, were—

William Adair,	D. E. Downing,	E. A. Pearson,
George W. Anderson,	John Duvall,	Elijah C. Phister,
J. M. Atherton,	M. W. Ferguson,	G. W. Quick,
Wm. F. Barret,	W. W. Frazer,	William S. Richart,
Rob't C. Beauchamp,	D. Hambleton,	George W. Riddle,
John W. Blue,	William M. Hamlin,	G. W. Silvertooth,
D. M. Bowen,	Ashton P. Harcourt,	Robert Simmons,
Samuel W. Brents,	Thomas H. Hays,	Henry H. Skiles,
E. Burr,	J. L. Hibbs,	R. M. Spalding,
Landon Carter,	Jas. R. Hindman,	P. M. Thurmond,
J. S. Chrisman,	George M. Jessee,	J. L. Waring,
Thomas T. Cogar,	James Kilgore,	A. D. Weller,
I. B. Combs,	G. W. Little,	John F. Wight,
R. L. Cooper,	Wm. J. McElroy,	L. Wilson,
Joseph M. Davidson,	George R. McKee,	John Wolf,
F. R. Davis,	Mason Morris,	Hugh H. York—50.
Asbury Dawson,	Joshua B. Parks,	

And so said resolution was rejected.

According to order, the House took up for further consideration a bill, entitled

A bill to regulate the pay of officers and attaches of the Senate and House of Representatives, and for other purposes.

Said bill reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the officers and attaches of the Senate and House of Rep-

resentatives shall be paid the following sums, to-wit: Speakers of the Senate and House of Representatives, each, ten dollars per day; Sergeants-at-Arms of the Senate and House of Representatives, each, five dollars per day; Clerks of the Senate and House of Representatives, each, ten dollars per day; Assistant Clerks, each, ten dollars per day; Door-keepers of the Senate and House of Representatives, each, five dollars per day.

§ 2. The Sergeant-at-Arms of the Senate shall have authority to employ two Pages, who shall be paid, each, two dollars per day; also, two servants, who shall be paid, each, two dollars per day. He shall also furnish each member of the Senate with three newspapers, to be selected by the members, and no more; and no appropriation shall be made for newspapers other than those authorized by this act.

§ 3. The Sergeant-at-Arms of the House of Representatives shall have authority to employ three pages, who shall be paid, each, two dollars per day; also, two servants, who shall be paid, each, two dollars per day. He shall furnish each member of the House with three newspapers, to be selected by the members, and no more; and no appropriation shall be made for newspapers other than those authorized by this act.

§ 4. The servants authorized by this act shall be employed in attendance upon the two Houses and the cloak-rooms of the same.

§ 5. This act shall be in force from and after its passage.

Mr. Price moved to lay said bill on the table.

And the question being taken on the motion of Mr. Price, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Davidson and Richart, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Bunch),	N. C. Dille,	J. J. McAfee,
George W. Anderson,	D. E. Downing,	James B. McCreary,
Wm. F. Barret,	H. G. Duerson,	George R. McKee,
J. F. Baugh,	John Duvall,	Thomas E. Moss,
John W. Blue,	Samuel G. Geisler,	Joshua B. Parks,
D. M. Bowen,	Robert T. Glass,	E. A. Pearson,
Samuel W. Brents,	Clinton Griffith,	Elijah C. Phister,
Howell Brewer,	William M. Hamlin,	Douglass L. Price,
William B. Caldwell,	Elijah Hogan,	G. W. Quick,
James E. Cantrill,	Jeff. Holeman,	George W. Riddle,
Landon Carter,	William Irwin, sr.,	Geo. W. Silvertooth,
J. S. Chrisman,	Alfred M. Jones,	R. K. Smith,
Thomas T. Cogar,	John W. Kendall,	L. Wilson,
R. L. Cooper,	James Kilgore,	S. M. Wrather—43.
J C. DeMoss,		

Those who voted in the negative, were—

William Adair,	John N. Furber,	Edward Myall,
Silas Adams,	D. Hambleton,	Wm. S. Richart,
J. M. Atherton,	Ashton P. Harcourt,	Robert Simmons,

Robert C. Beauchamp,	Ben. Hardin,	Henry H. Skiles,
E. Burr,	T. H. Hays,	Richard M. Spalding,
I. B. Combs,	J. L. Hibbs,	P. M. Thurmond,
Joseph M. Davidson,	James R. Hindman,	J. L Waring,
F. R. Davis,	George M. Jessee,	A. D. Weller,
Asbury Dawson,	Francis M. Lowe,	John F. Wight,
M. W. Ferguson,	William J. McElroy,	John Wolf,
James P. Ford,	Mason Morris,	Hugh H. York—33.

And so said bill was laid on the table.

The House then took up the amendments proposed by the Senate to a bill, which originated in the House of Representatives, entitled

A bill to revise, digest, and compile the statute laws of this State.

Ordered, That the consideration of said bill be postponed to, and made the special order of the day for, Thursday, 9th inst., at 11 o'clock, A. M.

Mr. Smith moved to reconsider the vote by which, on a former day, the House passed a bill, entitled

A bill to amend section 1, article 1, chapter 84, Revised Statutes, title "Roads and Passways."

Ordered, That the consideration of said motion be postponed to, and made the special order of the day for, Thursday next, 9th inst., at 11 o'clock, A. M.

Mr. DeMoss, from a select committee, who were directed to prepare and bring in the same, reported

A bill to amend the charter of the Licking and Big Sandy Railroad Company.

Which was read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be recommitted to the Committee on Railroads.

Mr. Furber, from the committee to whom was recommitted a bill, entitled

A bill to amend section 1, article 26, chapter 28, Revised Statutes, title "An act to prohibit the carrying of concealed deadly weapons,"

Reported the same, with the expression of opinion that the amendment offered thereto by Mr. Chrisman ought to be adopted.

Ordered, That the further consideration of said bill and amendment be postponed to, and made the special order of the day for, Wednesday, 8th inst., at 11 o'clock, A. M.

Mr. Glass, from a select committee, who were directed to prepare and bring in the same, reported

A bill for the benefit of Haly & Brawner.

Which was read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be printed and placed in the orders of the day.

Mr. Glass moved the following resolution, viz:

Resolved, That the laws regulating testimony in this State be, and they are hereby, so amended, that hereafter no person shall be incompetent to testify in any case, in the courts of this Commonwealth, on account of race or color.

Ordered, That said resolution be referred to the Committee on Revised Statutes.

On motion of Mr. Adair, leave was given to bring in a bill to incorporate the Caverna and Bentsville Turnpike Road Company.

Ordered, That the Committee on Corporate Institutions prepare and bring in the same.

Bills from the Senate were reported, without amendment, by the committees to whom they had been referred, of the following titles, viz:

By Mr. Blue, from the Committee on Railroads—

An act to incorporate the Mississippi and Southern Atlantic Railroad Company.

By Mr. Wight, from the Committee on Propositions and Grievances—

An act to amend the charter of the River Road Company, of Jefferson county.

Ordered, That said bills be read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Bills were reported by the several committees, who were directed to prepare and bring in the same, of the following titles, viz:

By Mr. McCreary, from the Committee on Revised Statutes—

A bill for the benefit of the police judge of the town of Hawesville.

By Mr. Cantrill, from the Committee on Codes of Practice—

A bill to amend section 47, Criminal Code of Practice.

By same—

A bill in relation to depositions heretofore taken, and oaths heretofore administered, by persons known as examiners.

By Mr. Wight, from the Committee on Propositions and Grievances—

A bill authorizing the issue of county bonds by the court of claims of Shelby county.

Which were read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

The House then took up for further consideration a bill, entitled

A bill authorizing and directing the sale of the interest and stock owned by the State of Kentucky in turnpike roads or turnpike road companies.

The question was then taken on the motion of Mr. Hardin, made on yesterday, to postpone the further consideration of said bill until Wednesday, 8th inst., at 11 o'clock, A M., and it was decided in the affirmative.

And so the further consideration of said bill was postponed till that time.

Mr. Blue moved the following resolution, viz:

Resolved, That the Auditor of Public Accounts be, and he is hereby, requested to furnish to this House, at the earliest possible moment, the names, locations, and number of miles of the different turnpike roads in this Commonwealth in which the State is interested, and the amount of stock which she owns in each; and that he also report which road or roads, if any, pays a net annual revenue into the State Treasury, and those which pay a less annual revenue into the Treasury than is required to keep them in repair; and that he report the gross annual revenue derived from all said roads, together with the amount annually disbursed for repairs since 1867.

Which was twice read and adopted.

The House then took up the several amendments proposed by the Senate to bills, which originated in the House of Representatives, of the following titles, viz:

An act concerning arrearages of pay due deceased soldiers.

An act for the benefit of Olivia Stewart and her husband, William Stewart.

An act for the benefit of A. W. Nickell, late sheriff of Johnson county, and his securities.

Said amendments were severally concurred in.

And then the House adjourned.

FRIDAY, FEBRUARY 3, 1871.

Mr. Quick, from the Committee on Enrollments, reported that the committee had examined an enrolled bill, which originated in the Senate, entitled

An act to amend an act, entitled "An act to incorporate the Winchester and Red River Iron Works Turnpike Road Company," approved February 23, 1856;

And also enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act concerning arrearages of pay due deceased soldiers;

An act for the benefit of Olivia Stewart and her husband, William Stewart;

An act for the benefit of A. W. Nickell, late sheriff of Johnson county, and his securities;

And had found the same truly enrolled.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Quick inform the Senate thereof.

A message was received from the Senate, announcing that they had passed a bill, which originated in the House of Representatives, entitled

An act to amend an act, entitled "An act to incorporate St. Paul's Protestant Episcopal Church, in Newport, Kentucky," approved February 10, 1845.

Mr. Atherton, from the Committee on Privileges and Elections, to whom was referred a bill from the Senate, entitled

An act to amend an act, entitled "An act to amend the 3d section, 2d article, 32d chapter, of the Revised Statutes,"

Reported the same with a substitute, by way of amendment.

Ordered, That said bill and amendment be printed, and made the special order of the day for Tuesday, 7th inst., at 10½ o'clock, A. M.

Mr. Richart, from the Committee on Claims, to whom was recommitted a bill, entitled

A bill for the benefit of William O. Mize,

Reported the same, with the expression of opinion by the committee that the same ought not to pass.

The question was then taken, "Shall the bill be read a third time, the opinion of the committee to the contrary notwithstanding?" and it was decided in the affirmative.

Said bill was then read a third time as follows, viz:

Whereas, It appears that foxes and wild cats were killed in Wolfe county amounting, under the law, to one hundred and twenty-nine dollars and fifty cents, and the certificates stated that the scalps were produced, when they ought to have stated that the heads were produced, and Mize bought the same; in consequence of which mistake, the Auditor refused to pay the same; for remedy whereof,

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the Auditor draw his warrant on the Treasurer in favor of William O. Mize for the sum of one hundred and twenty-nine dollars and fifty cents ($129 50).

§ 2. This act to take effect from its passage.

The question was then taken on the passage of said bill, and not having received a constitutional majority, it was decided in the negative.

The yeas and nays being required thereon, in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker (Bunch),	Joseph M. Davidson,	Mason Morris,
William Adair,	F. R. Davis,	Joshua B. Parks,
George W. Anderson,	N. C. Dille,	E. A. Pearson,
Wm. F. Barret,	John N. Furber,	Elijah C. Phister,
J. F. Baugh,	Robert T. Glass,	Alfred T. Pope,
John W. Blue,	L. D. Good,	G. W. Quick,
D. M. Bowen,	Clinton Griffith,	George W. Riddle,

Samuel W. Brents,	Elijah Hogan,	George W. Silvertooth,
Howell Brewer,	Elijah Hurst,	Robert Simmons,
E. Burr,	George M. Jessee,	Henry H. Skiles,
Landon Carter,	Alfred M. Jones,	R. K. Smith,
James R. Claybrook,	James Kilgore,	P. M. Thurmond,
Thomas T. Cogar,	G. W. Little,	J. L. Waring,
I. B. Combs,	George R. McKee,	Hugh H. York—42.

Those who voted in the negative, were—

Silas Adams,	W. W. Frazer,	Edward Myall,
J. M. Atherton,	Samuel G. Geisler,	William S. Richart,
James E. Cantrill,	Wm. M. Hamlin,	George W. Terrell,
J. S. Chrisman,	Ashton P. Harcourt,	A. D. Weller,
Asbury Dawson,	Ben. Hardin,	L. Wilson,
J. C. DeMoss,	Francis M. Lowe,	John Wolf,
D. E. Downing,	J. J. McAfee,	S. M. Wrather—23.
John Duvall,	William J. McElroy,	

And so said bill was rejected.

Mr. Wilson then moved to reconsider the vote by which said bill was rejected.

Mr. McAfee moved to lay the motion of Mr. Wilson on the table.

And the question being taken on the motion of Mr. McAfee, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Davidson and Combs, were as follows, viz:

Those who voted in the affirmative, were—

Silas Adams,	W. W. Frazer,	William J. McElroy,
James E. Cantrill,	Wm. M. Hamlin,	Edward Myall,
Landon Carter,	Ashton P. Harcourt,	William S. Richart,
J. S. Chrisman,	Ben. Hardin,	Geo. W. Terrell,
John Duvall,	J. J. McAfee,	S. M. Wrather—15.

Those who voted in the negative, were—

Mr. SPEAKER (Bunch),	J. C. DeMoss,	Mason Morris,
A. T. Coffman,	N. C. Dille,	Joshua B. Parks,
George W. Anderson,	D. E. Downing,	E. A. Pearson,
William F. Barret,	M. W. Ferguson,	Elijah C. Phister,
J. F. Baugh,	John N. Furber,	Alfred T. Pope,
Robert C. Beauchamp,	Samuel G. Geisler,	G. W. Quick,
John W. Blue,	Robert T. Glass,	George W. Riddle,
D. M. Bowen,	L. D. Good,	G. W. Silvertooth,
Samuel W. Brents,	Clinton Griffith,	Robert Simmons,
Howell Brewer,	Elijah Hogan,	R. K. Smith,
E. Burr,	Elijah Hurst,	P. M. Thurmond,
James R. Claybrook,	George M. Jessee,	J. L. Waring,
Thomas T. Cogar,	Alfred M. Jones,	A. D. Weller,
I. B. Combs,	James Kilgore,	L. Wilson,
Joseph M. Davidson,	G. W. Little,	John Wolf,

F. R. Davis, George R. McKee, Hugh H. York—49.
Asbury Dawson,

And so the House refused to lay the motion on the table.

The question was then taken on the motion of Mr. Wilson, to reconsider the vote by which said bill was rejected, and it was decided in the affirmative.

And so said vote was reconsidered.

Ordered, That said bill be placed in the orders of the day.

Mr. Chrisman, from the Committee on Claims, to whom was recommitted a bill, entitled

A bill for the benefit of John C. Broadhead, civil engineer,

Reported the same with an amendment.

Mr. Little moved an amendment to the amendment proposed by the committee.

And the question being taken on the amendment moved by Mr. Little, it was decided in the negative.

And so said amendment was rejected.

Mr. Phister moved to reconsider the vote by which said amendment was rejected.

And the question being taken on the motion of Mr. Phister, it was decided in the affirmative.

And so said vote was reconsidered.

Ordered, That said bill and amendments be recommitted to the Committee on Propositions and Grievances.

A message was received from the Governor by Mr. Samuels, Assistant Secretary of State, announcing that he had approved and signed enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act for the benefit of Samuel Biggerstaff, late sheriff of Madison county.

An act to continue in force for five years an act, entitled "An act for the benefit of Crittenden county," approved February 10, 1865.

An act to amend the charter of the town of New Concord, in Calloway county.

An act to authorize the Crittenden county court to issue county bonds to aid in rebuilding the court house in said county.

An act to reduce into one all the acts concerning the town of Barboursville, fixing the boundary of said town, and for other purposes.

Mr. McKee presented the petition of Elijah Evans, praying for compensation for the arrest of a fugitive from justice.

Which was received, the reading dispensed with, and referred to the Committee on Claims.

Mr. Phister, from the Committee on the Judiciary, who were directed to prepare and bring in the same, reported

A bill in relation to trials in quarterly and justices' courts,

With the expression of opinion that said bill ought not to pass.

Ordered, That said bill be printed and placed in the orders of the day.

On motion, leave of absence, indefinitely, was granted Messrs. McElroy and Phister.

Bills were reported by the several committees, who were directed to prepare and bring in the same, of the following titles, viz:

By Mr. Phister, from the Committee on the Judiciary—

A bill to repeal an act, entitled "An act to authorize the county judge of Ohio county to sign certain orders, and to legalize the same," approved January 26, 1871.

By Mr. G. W. Anderson, from the Committee on Corporate Institutions—

A bill revising the charter of the city of Paducah.

By Mr. Richart, from the Committee on Claims—

A bill for the benefit of James W. Hannah, of Elliott county.

By Mr. Chrisman, from the same committee—

A bill for the benefit of William Langdon, committee for Thomas Langdon, an idiot in Pulaski county.

By Mr. Phister, from the Committee on the Judiciary—

A bill to incorporate the Lexington Water-works Company.

By same—

A bill for the incorporation of the Little Sandy Bridge Company.

By same—

A bill to incorporate the Lancaster, Fall Lick, and Mount Vernon Turnpike Road Company.

By same—

A bill to incorporate the Mill Creek Turnpike Road Company, in Mason county.

By same—

A bill for the benefit of William W. Dowden, late sheriff of Fayette county.

Which were read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Bills from the Senate were reported, without amendment, by the committees to whom they had been referred, of the following titles, viz:

By Mr. Atherton, from the Committee on Privileges and Elections—

An act permitting the citizens of Louisa to vote whether or not liquors shall be sold in said town.

By Mr. Richart, from the Committee on Claims—

An act for the benefit of Geo. W. Stubblefield, of Fulton county.

By same—

An act for the benefit of Rufus G. Salyer, late deputy sheriff of Magoffin county.

Ordered, That said bills be read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Chrisman, from the Committee on Claims, to whom was referred a bill from the Senate, entitled

An act for the benefit of James M. Bullock, of Laurel county,

Reported the same with an amendment.

Said amendment was adopted.

Ordered, That said bill, as amended, be read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Leave was given to bring in the following bills, viz:

On motion of Mr. Riddle—

1. A bill for the benefit of Mrs. S. D. DeLaney, of Uniontown, Union county.

On motion of same—

2. A bill to amend an act, entitled "An act to revise, amend, and reduce into one the laws relating to the common schools of Kentucky," approved March 21, 1870.

On motion of Mr. Wrather—

3. A bill for the benefit of G. W. Neafus, of Meade county.

On motion of Mr. Ford—

4. A bill to incorporate the United States Lithographic Stone Company.

On motion of Mr. Richart—

5. A bill for the benefit of common school district No. 2, in Montgomery county.

On motion of same—

6. A bill to incorporate Montgomery County Manufacturing Company.

On motion of same—

7. A bill for the benefit of the Kentucky River Turnpike Road Company.

On motion of Mr. Brents—

8. A bill to amend chapter 128, entitled "Trespasses," approved December 23, 1861.

On motion of same—

9. A bill to charter the Glasgow, Tompkinsville, and Burksville Turnpike Road Company.

On motion of Mr. Adams—

10. A bill to prevent the sale of spirituous liquors in the town of Middleburg, Casey county.

On motion of Mr. Baugh—

11. A bill to repeal an act, entitled "An act for the benefit of Rockcastle county, in relation to roads and passways."

On motion of Mr. Pearson—

12. A bill for the benefit of S R. Heironymous and certain charitable institutions of Kentucky.

On motion of Mr. Hardin—

13. A bill to amend section 4, article 7, chapter 32, Revised Statutes.

On motion of Mr. Claybrook—

14. A bill to amend the 669th section of the Civil Code of Practice.

On motion of Mr. Hardin—

15. A bill to establish a work-house in the county of Nelson, for

the benefit of the counties of Nelson, Larue, Marion, Washington, and Spencer.

On motion of Mr. Atherton—

16. A bill to confer upon farmers, merchants, lawyers, and all private citizens of this Commonwealth, the same rights and privileges as to borrowing and loaning money, and to fix the rate of interest, as are exercised by the various banks, financial corporations, and chartered institutions generally in this State.

On motion of Mr. Jones—

17. A bill to incorporate the town of Edmonton, in Metcalfe county.

On motion of Mr. Myall—

18. A bill for the benefit of the Paris and Winchester Turnpike Road Company.

On motion of same—

19. A bill to incorporate the West Paris Bridge Company.

On motion of Mr. Brewer—

20. A bill to amend an act authorizing the legal voters of the county of Lee to locate the county seat of said county, approved January 28, 1871.

On motion of Mr. G. W. Anderson—

21. A bill to incorporate the Helvetia Society, of Louisville.

Ordered, That the Committee on Revised Statutes prepare and bring in the 1st, 8th, and 13th; the Committee on Education the 2d and 5th; the Committee on County Courts the 3d; the Committee on Corporate Institutions the 4th, 6th, 12th, 17th, 19th, and 21st; the Committee on Internal Improvement the 7th, 9th, and 18th; the Committee on Propositions and Grievances the 10th, 11th, and 20th; the Committee on Codes of Practice the 14th; and a select committee, consisting of Messrs. Hardin, Spalding, Harcourt, Atherton, and Claybrook, the 15th.

And then the House adjourned.

SATURDAY, FEBRUARY 4, 1871.

The Speaker laid before the House the following communication from the Auditor of Public Accounts, viz:

OFFICE AUDITOR PUBLIC ACCOUNTS,
FRANKFORT, KY., Feb. 4, 1871.

HON. JNO. T. BUNCH, *Speaker House of Representatives:*

SIR: I have the honor, through you, of laying before the General Assembly, a statement of the accounts of the Feeble-minded Institute for the year recently closed.

Very respectfully,
Your obedient servant,
D. HOWARD SMITH, *Auditor.*

[*For Report—See Legislative Document No.* 12.]

On motion of Mr. Richart, the Public Printer was directed to print the usual number of copies thereof for the use of the General Assembly; and said report was referred to the Committee on Charitable Institutions.

The Speaker presented also the following letter from the Auditor of Public Accounts, viz:

OFFICE AUDITOR PUBLIC ACCOUNTS,
FRANKFORT, KY., Feb. 4, 1871.

HON. JNO. T. BUNCH, *Speaker House of Representatives:*

SIR: I herewith transmit you a copy of the settlement of the treasurer of the Eastern Lunatic Asylum for the past year, which you will be kind enough to lay before the General Assembly.

Very respectfully,
Your obedient servant,
D. HOWARD SMITH, *Auditor.*

[*For Report—See Legislative Document No.* 11.]

On motion of Mr. Richart, said settlement was referred to the Committee on Charitable Institutions; and the Public Printer was directed to print the usual number of copies thereof for the use of the General Assembly.

Leave was given to bring in the following bills, viz:

On motion of Mr. Speaker (Bunch)—

1. A bill to charter the Louisville College of Pharmacy.

On motion of Mr. Barret—

2. A bill amending the charter of the Cook Benevolent Institution of Louisville.

On motion of same—

3. A bill to incorporate the Louisville Life Insurance Company.

On motion of same—

4. A bill to protect the manufacturers and bottlers of mineral water, &c.

On motion of same—

5. A bill to regulate the making of deeds in the Louisville chancery court.

On motion of Mr. Spalding—

6. A bill for the benefit of the Nazareth Literary and Benevolent Institution.

On motion of Mr. Hibbs—

7. A bill for the benefit of Mary E. Irvin, of Marshall county.

On motion of Mr. Cooper—

8. A bill to repeal an act, entitled "An act to provide for the organization and regulation of incorporated companies, except banking, insurance, and railroad companies."

On motion of Mr. Wight—

9. A bill to amend an act, entitled "An act to incorporate the Shelbyville Cemetery Company."

On motion of Mr. Frazer—

10. A bill for the benefit of W. W. Hoover.

On motion of same—

11. A bill to regulate the sale of spirituous liquors in certain localities.

On motion of same—

12. A bill to amend an act, entitled "An act to amend an act to punish certain trespasses in Jefferson and other counties."

On motion of Mr. Skiles—

13. A bill for the benefit of J. D. Mannen, of Warren county.

On motion of Mr. Pope—

14. A bill to equalize assessments of taxable property in this Commonwealth.

On motion of Mr. Claybrook—

15. A bill to charter the Old Maxville and Perryville Turnpike Road Company.

On motion of Mr. Holeman—

16. A bill to incorporate the Dixon and Claysville Turnpike and Gravel Road Company.

On motion of Mr. Little—

17. A bill to authorize the payment of certain military claims against the Commonwealth.

On motion of same—

18. A bill to relieve Whitley county court from the payment of certain jail guard claims.

On motion of same—

19. A bill to declare Brier creek, in Whitley county, a navigable stream.

On motion of Mr. Kendall—

20. A bill to incorporate the Frenchburg and Jeffersonville Turnpike Road Company.

On motion of Mr. DeMoss—

21. A bill for the benefit of the Alexandria and Flag Spring Turnpike Road Company, in Campbell county.

On motion of same—

22. A bill to authorize the Newport and Licking Turnpike and Plank Road Company to issue bonds.

On motion of same—

23. A bill for the benefit of P. J. Shuran, of Newport.

On motion of same—

24. A bill for the benefit of the public schools and academy of Newport.

On motion of Mr. Brewer—

25. A bill for the benefit of E. B. Treadway, former sheriff of Owsley county.

On motion of Mr. Richart—

26. A bill to except Clark county from the provisions of an act, entitled "An act in relation to submitting questions of taxation to a vote of the people," approved March 17, 1870.

On motion of Mr. Davis—

27. A bill for the benefit of Fox Creek common school district No. 13, in Fleming county.

On motion of Mr. Silvertooth—

28. A bill to amend the law on the subject of peddlers.

On motion of same—

29. A bill to incorporate the St. John's Cemetery, in the city of Columbus, in Hickman county.

On motion of Mr. Jessee—

30. A bill to incorporate the Lagrange and Brownsboro Turnpike Road Company.

On motion of Mr. Wolf—

31. A bill for the benefit of the Covington and DeCourcey Creek Turnpike Road Company.

On motion of Mr. Combs—

32. A bill for examining polls in certain counties.

On motion of Mr. Simmons—

33. A bill for the benefit of the heirs of Austin P. Cox, deceased.

On motion of Mr. Pope—

34. A bill authorizing parties to suits to testify, except against decedent's estates, and providing that interest shall not exclude witnesses from testifying.

On motion of same—

35. A bill to amend the divorce laws of this Commonwealth.

On motion of Mr. Griffith—

36. A bill to repeal the fishing laws of Green and Barren rivers, so far as it applies to Rhode's creek, in Daviess county.

On motion of Mr. Blue—

37. A bill to incorporate the Tradewater Navigation Company.

On motion of same—

38. A bill to incorporate the Tradewater Coal, Lumber, and Transportation Company.

Ordered, That the Committee on Corporate Institutions prepare and bring in the 1st, 3d, 6th, and 21st; the Committee on the Judiciary the 2d, 7th, 9th, 35th, and 36th; the Committee on Revised Statutes the 4th, 5th, and 29th; the Committee on Propositions and Grievances the 8th, 10th, 14th, 26th, 27th, and 37th; the Committee on Ways and Means the 11th, 15th, 22d, and 23d; the Committee on Religion the 12th; the Committee on County Courts the 13th; the Committee on Internal Improvement the 16th, 17th, 20th, 31st, 32d, 38th, and 39th; the Committee on Claims the 18th, 19th, 24th, and 34th; the Committee on Education the 25th and 28th; a select committee, consisting of Messrs. Silvertooth, Simmons, and Duvall, the 30th; and a select committee, consisting of Messrs. Combs, Cogar, and Silvertooth, the 33d.

On motion, leave of absence, indefinitely, is granted to Messrs. Hamlin and Geisler.

Mr. Quick, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the Senate, of the following titles, viz:

An act to amend the charter of the River Road Company, of Jefferson county;

An act to incorporate the Mississippi and Southern Atlantic Railroad Company;

And also enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to establish a court of common pleas in Caldwell county;

An act to amend an act, entitled "An act to incorporate St. Paul's Protestant Episcopal Church, in Newport, Kentucky," approved February 10, 1845;

And had found the same truly enrolled.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Quick inform the Senate thereof.

On motion of Mr. Corbett a committee, consisting of Messrs. Corbett and Parks, were appointed, to act with a similar committee on the part of the Senate, to wait upon the Governor and request him to return to the House unsigned, an enrolled bill, which originated in the House of Representatives, entitled

A bill for the benefit of Hermon V. Cothes, of Ballard county.

The following petitions were presented, viz:

By Mr. Corbett—

1. The petition of citizens of Ballard county, praying the passage of a law creating a new civil district in said county.

By Mr. Simmons—

2. The petition of certain sheriffs of this Commonwealth, in relation to the collection of the revenue.

By Mr. Silvertooth—

3. The petition of the president and directors of the Mobile and Ohio Railroad Company, praying to be released from certain taxes due the State.

By Mr. McAfee—

4. The petition of J. H. Faircloth, of Nevada, Mercer county, praying the passage of an act to permit him to retail spirits at that place.

By Mr. Terrell—

5. The petition of the trustees of the town of Florence, and of the trustees of school disirict No. —, praying to be allowed to sell certain school grounds, and to invest the proceeds for school purposes.

By Mr. Kilgore—

6. The petition of citizens of Boyd county, praying that certain furnace companies may be permitted to issue orders on their stores of certain denominations therein specified.

By Mr. Wolf—

7. The petition of citizens of Kenton county, praying the passage of a certain act for the benefit of the Covington and DeCourcey Creek Turnpike Road Company.

Which were received, the reading dispensed with, and referred—the 1st and 4th to the Committee on County Courts; the 2d and 3d to the Committee on Ways and Means; the 5th and 6th to the Committee on the Judiciary; and the 7th to the Committee on Internal Improvement.

A message was received from the Senate, announcing that they had received official information that the Governor had approved and signed enrolled bills, which originated in the Senate, of the following titles, viz:

An act changing the time of holding the Carroll county court.

An act authorizing school district No. 16, in Fulton county, to vote a tax to purchase school-house and lot.

That they had concurred in the amendment proposed by the House to a bill, which originated in the Senate, entitled

An act to regulate appeals from police courts and mayor's courts.

That they had disagreed to a bill, which originated in the House of Representatives, entitled

An act to regulate and fix the county levy for Laurel county.

That they had passed bills, which originated in the House of Representatives, of the following titles, viz:

An act revising the charter of the city of Paducah.

An act to authorize the county court clerk to furnish cross-indexes for certain record books in Cumberland county.

An act to amend an act, entitled "An act to incorporate the Elizabethtown, Lexington, and Big Sandy Railroad Company."

An act to protect the public highways in Clark and Montgomery counties.

With amendments to the last two named bills.

And that they had passed bills of the following titles, viz:

1. An act for the benefit of Henry B. Wiseman, of Estill county.

2. An act for the benefit of C. C. Harbin, jailer of Laurel county.

3. An act to regulate the manner of constructing cattle guards on railroads in this Commonwealth.

4. An act prohibiting the vending of ardent, malt, or vinous spirits, in Magoffin county.

5. An act to empower the county court of Lawrence county to levy an additional tax in said county, and for other purposes.

6. An act to change the time of holding quarterly courts in Harrison county.

Which were read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That they be referred—the 1st to the Committee on Claims; the 2d to the Committee on Revised Statutes; the 3d, 4th, 5th, and 6th to the Committee on County Courts.

The House then took up the amendments proposed by the Senate to a bill, which originated in the House of Representatives, entitled

An act to amend an act, entitled "An act to incorporate the Elizabethtown, Lexington, and Big Sandy Railroad Company."

Said amendments were concurred in.

The House took up the amendment proposed by the Senate to a bill, which originated in the House of Representatives, entitled

An act to protect the public highways in Clark and Montgomery counties.

Said amendment was concurred in.

Mr. Blue moved the following resolution, viz:

Resolved, That the Auditor be, and he is hereby, instructed to report to this House the result of the investigations of the commissioner appointed under an act of the General Assembly, approved February 22d, 1870, to audit and settle the accounts of Newton Craig, former Keeper of the State Penitentiary; that he report the items for which allowances were made; the aggregate amount allowed; the amounts paid to said Craig under said commission, and when paid.

Which was twice read and adopted.

Mr. McKee, from the Committee on Revised Statutes, who were directed to prepare and bring in the same, reported

A bill to amend chapter 107, Revised Statutes,

Without the expression of opinion thereon by the committee.

Which was read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be printed, and made the special order of the day for Tuesday, 14th inst., at 11 o'clock, A. M.

Mr. Cogar, from the Committee on Internal Improvement, who were directed to prepare and bring in the same, reported

A bill to appropriate certain moneys due by the county of Wayne to the Public Treasury, in aid of construction of a certain turnpike road.

Which was read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That the further consideration of said bill be postponed to, and made the special order of the day for, Tuesday, 7th inst., at 11 o'clock, A. M.

Mr. G. W. Anderson, from the Committee on Corporate Institutions, to whom was referred a bill from the Senate, entitled

An act to incorporate the town of Rich Pond, in Warren county,

Reported the same with an amendment thereto.

Said amendment was adopted.

Ordered, That said bill, as amended, be read a third time.

Said bill was then read a third time.

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. G. W. Anderson, from the Committee on Corporate Institutions, to whom was referred a bill from the Senate, entitled

An act to amend an act, entitled "An act to incorporate the town of Leitchfield,"

Reported the same without amendment.

Ordered, That said bill be read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Bills were reported by the several committees, who were directed to prepare and bring in the same, of the following titles, viz:

By Mr. G. W. Anderson, from the Committee on Corporate Institutions—

A bill to enable the Louisville Pilots' Benevolent and Relief Association to wind up and discontinue its affairs.

By same—

A bill to amend an act, entitled "An act to incorporate the town of New Haven, in Nelson county."

By Mr. Griffith, from the same committee—

A bill amendatory of an act to amend an act, entitled "An act to incorporate the town of Hiseville, in Barren county."

By same—

A bill to amend an act, entitled "An act to incorporate the town of Concordia."

By Mr. Thurmond, from the Committee on County Courts—

A bill for the benefit of the county attorney of Caldwell county.

By Mr. Downing, from the Committee on Internal Improvement—

A bill to amend the charter of the Peak's Mill Turnpike Company.

By Mr. Silvertooth, from a select committee—

A bill to incorporate the St. John's Cemetery, in the city of Columbus.

By Mr. McKee, from a select committee—

A bill to establish the weight of Rockcastle coal.

By same—

A bill to amend an act, entitled "An act to amend the charter of Bryantsville."

By Mr. Hambleton, from the Committee on Agriculture and Manufactures—

A bill defining what shall be deemed a lawful fence in Gallatin county, and providing for the punishment of the owners of breachy or roguish cattle permitted to run on the commons therein.

By Mr. Thurmond, from the Committee on County Courts—

A bill to authorize the county court of Hardin county to levy a tax to erect public buildings in said county.

By Mr. Cogar, from the Committee on Internal Improvement—

A bill for the benefit of the Pleasureville, Bethlehem, and Kentucky River Turnpike Company.

By Mr. Duvall, from the Committee on County Courts—

A bill to amend an act, entitled "An act to authorize the judge of

the Kenton quarterly court to appoint a special agent to execute process."

By Mr. Simmons, from the Committee on Ways and Means—

A bill to amend an act, entitled "An act for the benefit of James Davis, of Knox county."

By Mr. Cooper, from the Committee on Religion—

A bill to incorporate the Walnut Flat Church.

By Mr. Thurmond, from the Committee on County Courts—

A bill to increase the levy of Logan county.

By Mr. Cogar, from a select committee—

A bill providing for comparing the polls for the election of Representatives to the General Assembly in the counties of Breathitt, Wolfe, and Powell.

By Mr. Thurmond, from the Committee on County Courts—

A bill for the benefit of the Bullitt county court, authorizing them to levy a tax to erect public buildings.

By Mr. Duvall, from the same committee—

A bill providing for the appointment of a county treasurer for Lincoln county.

Which were read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

And then the House adjourned.

MONDAY, FEBRUARY 6, 1871.

On motion of Mr. Phister, he was discharged from further service on the Committee on Education; and thereupon the Speaker appointed Mr. Cooper to serve in his stead.

Mr. Quick, from the Committee on Enrollments, reported that the committee had examined an enrolled bill, which originated in the Senate, entitled

An act to regulate appeals from police courts and mayor's courts;

And also enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to amend an act, entitled "An act to incorporate the Elizabethtown, Lexington, and Big Sandy Railroad Company," approved January 29, 1869.

An act to protect the public highways in Clark and Montgomery counties;

An act to authorize the county court clerk to furnish cross-indexes for certain record books in Cumberland county;

And had found the same truly enrolled.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Quick inform the Senate thereof.

A message was received from the Governor by Mr. Samuels, Assistant Secretary of State, announcing that he had approved and signed enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to amend an act, entitled "An act to incorporate the Hopkins Coal Company," approved February 18, 1867.

An act for the benefit of A. W. Nickell, late sheriff of Johnson county, and his securities.

An act for the benefit of Olivia Stewart and William Stewart, her husband.

An act concerning arrearages of pay due deceased soldiers.

An act for the benefit of the judge of the city court of Louisville.

An act to prohibit the granting of license for the sale of spirituous or vinous liquors in the town of Harrodsburg, or within two miles thereof.

The following petitions were presented, viz:

By Mr. Price—

1. The petition of citizens of Fayette county, praying that the estate of Mrs. E. Moore be exempted from taxation.

By Mr. Terrell—

2. The petition of citizens of Florence district, Boone county, in regard to the jurisdiction of the police court of said town, &c.

Which were received, the reading dispensed with, and referred—the 1st to the Committee on the Judiciary, and the 2d to the Committee on Revised Statutes.

A message was received from the Senate, announcing that they had passed bills, which originated in the House of Representatives, of the following titles, viz:

An act to incorporate the town of Canmer, in the county of Hart.

An act to amend an act, entitled "An act to amend an act to incorporate the town of West Point, in Hardin county," approved February 15, 1848.

An act to incorporate the Elkton Railroad Company.

With amendments to the last two named bills.

And that they had passed bills of the following titles, viz:

1. An act to change the time of holding the spring term of the Hopkins circuit court.

2. An act for the benefit of the sureties of H. M. Wade, late sheriff of Marshall county, on his revenue bond for the year 1869.

3. An act for the benefit of C. M. Hanks, of Wolfe county.

4. An act for the benefit of Dallasburg school district, in Owen county.

Which were read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That they be referred—the 1st to the Committee on Circuit Courts; the 2d and 3d to the Committee on Ways and Means; and the 4th to the Committee on Education.

Mr. Barret, from the Committee on Education, to whom was recommitted a bill from the Senate, entitled

An act providing for the registration of marriages, births, and deaths,

Reported the same without amendment, and with the expression of opinion that said bill ought not to pass.

Ordered, That the further consideration of said bill be postponed to, and made the special order for, Friday next, at 11 o'clock.

Bills from the Senate were reported, by the committees to whom they had been referred, of the following titles, viz:

By Mr. Frazer, from the Committee on Ways and Means—

An act for the benefit of James W. Hogg, late sheriff of Letcher county.

By same—

An act to exempt haulers from Goose Creek Salt Works from the payment of tolls on the Wilderness Turnpike Road.

By Mr. DeMoss, from the Committee on Education—

An act for the benefit of the sheriff of Warren county.

With the expression of opinion that said bills ought not to pass.

The question being taken on ordering said bills to be read a third time, the opinion of the committee to the contrary notwithstanding, it was decided in the negative.

And so said bills were disagreed to.

Mr. Griffith, from the Committee on Corporate Institutions, who were directed to prepare and bring in the same, reported

A bill to amend an act, entitled "An act to incorporate the Mechanics' Co-operative and Building Association, of Louisville," approved January 27, 1868.

Which was read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That the further consideration of said bill be postponed to, and made the special order of the day for, Friday, 10th inst., at 10½ o'clock, A. M.

Mr. Duvall, from the Committee on County Courts, who were directed to prepare and bring in the same, reported

A bill for the benefit of the jailer of Cumberland county,

Without the expression of opinion thereon.

Which was read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Thurmond, from the Committee on County Courts, who were directed to prepare and bring in the same, reported bills of the following titles, viz:

A bill to increase the jurisdiction of magistrates in this Commonwealth.

A bill to amend section 18, article 1, chapter 2, title 2, Civil Code of Practice.

Ordered, That said bills be printed, and have their first reading on Friday next, at 10½ o'clock, A. M.

The House then took up the amendments proposed by the Senate to a bill, which originated in the House of Representatives, entitled

An act to amend an act, entitled "An act for the benefit of the negroes and mulattoes of this Commonwealth," approved February 16, 1866.

Said amendments were concurred in, and the title so changed as to read:

An act to repeal an act, entitled "An act for the benefit of the negroes and mulattoes of this Commonwealth," approved March 9, 1867.

The House took up the resolution of instruction to the Judiciary Committee heretofore offered by Mr. Hardin.

Mr. Simmons moved an amendment thereto, which was adopted.

Said resolution, as amended, reads as follows, viz:

Resolved, That the Judiciary Committee be requested to inquire into the propriety of reporting a bill compelling steamboats landing at wharves in Kentucky to keep on board, or attached to the boat, yawls or skiffs enough to take ashore, at one time, all passengers it may have capacity to carry.

Said resolution was adopted.

The House took up from the orders of the day a bill from the Senate, entitled

An act to require railroad companies to keep open their ticket offices during one hour immediately next before the departure of their trains, in cases where tickets are required before entering the cars,

With the proposed amendment thereto.

Ordered, That said bill be recommitted to the Committee on Revised Statutes.

The House also took up from the orders of the day a bill, entitled

A bill for the preservation of life in case of fire.

Mr. Caldwell moved an amendment thereto.

On motion of Mr. Griffith, said bill was recommitted to a special committee of five members, to be appointed by the Chair.

Mr. DeMoss, from the Committee on Education, to whom was referred a bill from the Senate, entitled

An act for the benefit of school districts Nos. 8 and 9, in McLean county,

Reported the same with an amendment thereto.

Said amendment was adopted.

Ordered, That said bill, as amended, be read a third time.

Said bill was then read a third time.

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Bills from the Senate were reported, without amendment, by the committees to whom they had been referred, of the following titles, viz:

By Mr. Frazer, from the Committee on Ways and Means—

An act for the benefit of J. J. Durham, sheriff of Green county.

By Mr. DeMoss, from the same committee—

An act for the benefit of the sheriff of Warren county.

By Mr. Wrather, from the Committee on Internal Improvement—

An act to amend the charter of the Salt River and Dry Branch Turnpike Road Company.

By same—

An act for the benefit of the Danville and Pleasant Hill Turnpike Company.

By same—

An act to incorporate the Boyd County Navigation, Manufacturing, and Improvement Company.

Ordered, That said bills be read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Hindman moved the following joint resolution, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That the committees of the two Houses on the Penitentiary be requested to examine the buildings, shops, and machinery in the prison; also the general condition of the inmates, and the treatment of the same, including the kind of clothing furnished them, male and female, and the kind and amount of food furnished and kept on hand for their use, and report to the General Assembly concerning the above inquiries; and also whether it is advisable to appropriate money to extend the prison and works at this place, or to establish a branch at some other point in the State.

The rule being suspended, said resolution was taken up, twice read, and adopted.

Mr. Hindman moved the following resolution, viz:

Resolved, That the Committee on Revised Statutes be, and they are hereby, requested to report to this House a bill providing for the taking care of negro paupers in this Commonwealth.

Said resolution was placed in the orders of the day.

Mr. Barret, from the Committee on Education, who originated the same, reported

A bill for the benefit of common schools in Kentucky.

Which was read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Bills were reported by the several committees, who were directed to prepare and bring in the same, of the following titles, viz:

By Mr. Phister, from the Committee on the Judiciary—

A bill to authorize the Garrard circuit court to direct a sale of the Lancaster and Crab Orchard Turnpike Road.

By same—

A bill for the benefit of manufacturing, furnace, and mining establishments in the counties of Greenup, Boyd, Carter, and Lawrence.

By Mr. Barret, from the Committee on Education—

A bill for the benefit of common school district No. 2, in Montgomery county.

By same—

A bill to amend an act, entitled "An act to charter the Stanford Female Seminary," approved February 26, 1869.

By Mr. DeMoss, from the same committee—

A bill for the benefit of school district No. 8, in Calloway county.

By Mr. Skiles, from the same committee—

A bill to repeal section 2d of an act to amend the charter of Princeton College.

By Mr. DeMoss, from the Committee on Ways and Means—

A bill to amend the charter of the Alexandria and Flag Springs Turnpike Road Company, in Campbell county.

By same—

A bill to amend the charter of the Newport and Licking Turnpike and Plank Road Company, and to authorize same to issue bonds.

By Mr. Griffith, from the Committee on Corporate Institutions—

A bill to incorporate the town of Providence, in Webster county.

By same—

A bill to amend and reduce into one the several acts in relation to the town of Slaughterville, in Webster county.

By Mr. Waring, from the same committee—

A bill to incorporate the town of Union, in the county of Boone.

By Mr. Burr, from the same committee—

A bill to incorporate the town of Tietsville, in Bracken county.

By same—

A bill to amend an act, entitled "An act to incorporate the St. Bernard Coal Company."

By same—

A bill to amend an act, entitled "An act to authorize the Lewis county court to levy a tax to create a bridge fund for Lewis county."

By same—

A bill for the benefit of the town of Tompkinsville, in Monroe county.

By same—

A bill for the benefit of the Germantown and Bridgeville Turnpike Road Company, in Bracken county.

By same—

A bill to amend the charter of the town of Dixon, in Webster county.

By Mr. Combs, from the Committee on Internal Improvement—

A bill for the benefit of J. S. Pitman and W. Frank Crawford, of Powell county.

By Mr. Wrather, from the same committee—

A bill declaring Lower Buffalo Creek, in Owsley county, a navigable stream, from its mouth to the mouth of the road fork of said creek.

By same—

A bill to amend the charter of the Louisville and Salt River Turnpike Road Company.

By Mr. Weller, from the same committee—

A bill to incorporate the Dixon and Clayville Turnpike and Gravel Road Company, in Webster county.

By Mr. Downing, from the same committee—

A bill to amend section 21, chapter 84, entitled "Roads and Passways," Revised Statutes.

By same—

A bill to incorporate the Jacksonville and Townsend Turnpike Road Company.

By Mr. Duvall, from the Committee on County Courts—

A bill to establish an additional magistrates' district in Ballard county.

By same—

A bill to authorize the Hancock county court to increase the county levy for the year 1871.

By same—

A bill to prohibit the sale of spirituous, vinous, or malt liquors in the county of Floyd.

By same—

A bill to change the time of holding the November term of the Owen county court.

Which were read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Weller, from the Committee on Internal Improvement, who were directed to prepare and bring in the same, reported

A bill to amend an act, entitled "An act transferring portions of the Elizabethtown and Bell's Tavern Turnpike Road to the counties of Hardin, Hart, and Barren," approved December 23, 1861.

Which was read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Said bill was placed in the orders of the day.

And then the House adjourned.

TUESDAY, FEBRUARY 7, 1871.

Leave was given to bring in the following bills, viz:

On motion of Mr. Claybrook—

1. A bill to amend the charter of the Springfield, Willisburg, Antioch, and Fox Creek Turnpike Road Company.

On motion of Mr. Adair—

2. A bill to amend the law in relation to the duties of assessors of tax.

On motion of Mr. Ferguson—

3. A bill to incorporate the Pullman Southern Sleeping Car Company.

On motion of same—

4. A bill to incorporate the Louisville and Jeffersonville Bridge Company.

On motion of Mr. G. W. Anderson—

5. A bill to incorporate the Kentucky Masonic Mutual Relief Association.

On motion of Mr. Frazer—

6. A bill to incorporate the Kentucky Baptist Historical Society.

On motion of Mr. Brents—

7. A bill for the benefit of Barren county.

On motion of Mr. Simmons—

8. A bill to incorporate the Philips and Jordan Iron Company, in the city of Covington.

On motion of Mr. Barron—

9. A bill to create an additional justices' district in Cumberland county.

On motion of same—

10. A bill to protect the citizens of Clinton, Cumberland, and Monroe counties against the illegal sale of spirituous, vinous, or malt liquors in said counties.

On motion of Mr. Hambleton—

11. A bill to amend the charter of the town of Cloverport.

Ordered, That the Committee on Corporate Institutions prepare and bring in the 1st, 3d, 4th, 5th, 6th, and 8th; the Committee on Ways and Means the 2d; the Committee on Railroads the 7th; the Committee on County Courts the 9th and 11th; and the Committee on Circuit Courts the 10th.

A message was received from the Senate, announcing that they had received official information that the Governor had approved and signed enrolled bills, which originated in the Senate, of the following titles, viz:

An act to amend an act, entitled "An act to incorporate the Winchester and Red River Iron Works Turnpike Road Company," approved February 23, 1856.

An act to amend the charter of the Ashland and Catlettsburg Turnpike Company.

That they had concurred in the amendments proposed by the House to bills, which originated in the Senate, of the following titles, viz:

An act to incorporate the town of Rich Pond, in Warren county.

An act to amend an act, entitled "An act to provide for the organization and regulation of incorporated companies, except banking, insurance, and railroad companies," approved March 16, 1870.

That they had disagreed to bills, which originated in the House of Representatives, of the following titles, viz:

An act for the benefit of Robert White, of Hickman county.

An act to regulate the weight and sale of stone-coal in this Commonwealth.

That they had passed bills, which originated in the House of Representatives, of the following titles, viz:

An act to authorize the board of councilmen of the city of Frankfort to subscribe to the capital stock of the Frankfort and Flat Creek Turnpike Road Company.

An act concerning the retail of spirituous, vinous, or malt liquors in a part of Jefferson county.

An act empowering the trustees of Salem Presbyterian Church, in Clark county, to sell and convey certain lots or tracts of land on which their parsonage property and house of worship are situated, with authority to reinvest the proceeds of the sale.

An act authorizing the issue of county bonds by the court of claims of Shelby county.

And that they had passed bills of the following titles, viz:

1. An act to compensate clerks of courts for certain services.

2. An act to amend the charter of the Smithfield and Ballardsville Turnpike Road Company.

3. An act to incorporate the Greensburg, Columbia, and New Haven Turnpike Road Company.

Which were read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That they be referred—the 1st to the Committee on the Judiciary, and the 2d and 3d to the Committee on Internal Improvement.

Mr. Quick, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the Senate, of the following titles, viz:

An act to incorporate the town of Rich Pond, in Warren county.

An act to amend an act, entitled "An act to provide for the organization and regulation of incorporated companies, except banking, insurance, and railroad companies," approved March 16, 1870;

An act for the benefit of Geo. W. Stubblefield, of Fulton county;

An act permitting the citizens of Louisa to vote whether or not liquors shall be sold in said town;

An act to amend an act, entitled "An act to incorporate the town of Leitchfield;"

An act for the benefit of Rufus G. Salyers, late deputy sheriff of Magoffin county;

And had found the same truly enrolled.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Quick inform the Senate thereof.

The Speaker appointed, under the order of the House on yesterday, Messrs. Chrisman, Griffith, Frazer, Hibbs, and Hogan, as the select committee to whom should be referred a bill, entitled

A bill for the preservation of life in case of fire.

The Speaker laid before the House the following response from the Auditor to a resolution of the House, adopted on the 4th inst., which was read as follows, viz:

OFFICE AUDITOR PUBLIC ACCOUNTS,
FRANKFORT, February 7, 1871.

HON. J. T. BUNCH, *Speaker of House of Representatives:*

SIR: In response to a resolution adopted in the House of Representatives on the 4th inst., calling upon me for the result of the investigations of the Commissioners appointed by an act of the General Assembly approved February 22, 1870, to audit and settle the accounts of Newton Craig, former Keeper of the Penitentiary, I herewith submit the report of said Commissioners, with the approval of the Governor attached, giving the information desired. I will also state, that, acting under the mandatory authority and direction of said act, I drew my warrants on the Treasurer for the whole amount of the award of said Commissioners during the month of December last, which was as soon after their award as the condition of the Treasury would admit of my drawing my warrants in favor of Mr. Craig.

I have the honor to be, very respectfully,

Your obedient servant,

D. HOWARD SMITH, *Auditor.*

FRANKFORT, KY., 11th July, 1870.

TO HON. D. HOWARD SMITH, *Auditor Public Accounts:*

The undersigned, Commissioners appointed by an act of the Legislature, entitled "An act for the benefit of Newton Craig," approved February 22, 1870, to ascertain and audit the claim of Newton Craig against the Commonwealth for an alleged balance due him upon an unsettled account, and ascertain if any balance is justly and equitably due him, report, that, after being first duly sworn, they proceeded, in the presence of John Rodman, the Attorney General, to make

said investigation, and after a laborious examination of the books and vouchers of the Penitentiary during said Craig's connection with it as agent and Keeper, as well as all the laws and legislative and other reports and evidence having any connection with said claim, certify the following statement of account as the result of their investigation, to-wit:

COMMONWEALTH OF KENTUCKY

In account with N. Craig, late Agent and Keeper Ky. Pen.,

DR.

For two thirds of the loss sustained by burning 30th August, 1844, as per report of Chas. S. Waller, clerk of prison, and Cox and Page, Commissioners		$4,262 81	
For interest on $4,262 81 from 30th August, 1844, to 1st January, 1856		2,899 73	
Making			$7,162 54
From which amount deduct the balance due by Craig, as shown by the settlement made by Cox and Page 1st January, 1856		$3,847 83	
Less the amount of the following items which Craig sets up and admitted to be unpaid, viz:			
Balance on hub machine	$25 00		
Loom	1,200 00	1,225 00	
			2,622 83
Leaving			$4,539 71
Interest on $4,539 71 from 1st January, 1856, to 30th June, 1870, 14 years, 6 months			3,949 55
Amount due on burning after credit			$8,489 26
For building extension of prison wall, viz:			
3,321 perch of solid masonry, at $3 per perch		$9,963 00	
150 perch of loose stone on top of wall, at $1		150 00	
700 cubic yards of excavation on foundation, at 25 cents per cubic yard		175 00	
		$10,288 00	
Credit by amount paid Craig on wall		4,731 00	
		$5,557 00	
For interest on $5,557 from 1st March, 1847, to 30th June, 1870, 23 years, 4 months		7,779 80	
Amount due on wall			13,336 80
Total due			$21,826 06

Which sum of twenty-one thousand eight hundred and twenty-six dollars and six cents we certify as due said Newton Craig, and recommend its payment.

In the settlement of the claim of Craig against the State, we have taken into consideration every claim he has, and certify this as the full amount due him in payment of any claim or claims he may have growing out of his connection with the Penitentiary as Keeper, agent, or partner.

We refused to allow a credit of $2,686 63 to said Craig, made by an act of the Legislature approved March 1, 1856, upon the ground that the Legislature intended that this amount should be in full satisfaction of all claims the said Craig had against the State; and which being offered to him as a compromise, and not being accepted, he has no right to set it up as a claim against the State.

We agree with the Commissioners of the Sinking Fund in their report to the Legislature in regard to the justice of the fire and wall claim, and allow interest on these claims from the dates it is clearly shown the money had been paid out by Craig for the articles consumed, and from the time the wall was completed and in use.

We herewith file the certificate of our qualification as part of this report.

M. B. Chinn, one of the Commissioners, having died previous to the sitting of the Commissioners, did not act with us.

(Signed) GRANT GREEN,
JAMES M. WITHROW,
FAYETTE HEWITT.

I regret that I am unable to concur in the conclusion of the majority of the Commissioners. I make no objection to the basis of the settlement, if the accounts are to be re-stated. But it seems to me that the former investigations by the Legislature, the Commissioners of the Sinking Fund, and finally by the Franklin circuit court—in each of which these claims were presented and passed upon, and all of them being much nearer the period of the transaction, and in which the witnesses then living were examined—are conclusive.

With no additional proof, I cannot go behind those adjudications. They were made by men of character acting under oath, and who, I cannot doubt, were in a better position to pass upon the justice and equity of these claims, with the facts all before them and comparatively fresh, than we can possibly be at this distant period. I am therefore constrained, by a sense of duty, to dissent from the report of the majority of the Commissioners.

(Signed) JAS. A. DAWSON.

James A. Dawson, James M. Withrow, Fayette Hewitt, and Grant Green state they will faithfully and honestly discharge the duties required of them in an act of the Legislature of Kentucky, entitled

"An act for the benefit of Newton Craig," approved February 22, 1870.

(Signed) JAMES A. DAWSON,
JAMES M. WITHROW,
FAYETTE HEWITT,
GRANT GREEN.

STATE OF KENTUCKY, FRANKLIN COUNTY:

Sworn to before me by Grant Green, Fayette Hewitt, James M. Withrow, and James A. Dawson, June 9, 1870.

GEO. W. GWIN, *J. P. F. C.*

A question may arise (which I learn has already been mooted by the Attorney General) what effect, if any, the death of one of the Commissioners named in the act is to have upon the award of the remaining members of the board? Another is, whether an entire unanimity of every member of the board of those who act is required by the terms of the act?

These are judicial questions, which it would be improper for me to decide. They are capable of certain solution, if it be deemed necessary to test them; and reposing entire confidence in the findings of the commission, I herewith approve the amount reported.

(Signed) J. W. STEVENSON.

JULY 11th, 1870.

Since the foregoing was written, the Auditor of Public Accounts has drawn my attention to the third section of chapter 21, Revised Statutes of Kentucky, which covers this case. It provides, that in construing a statute, "words purporting to give authority to three or more public officers or other persons, shall be construed as giving such authority to a majority of such officers or other persons."

I, therefore, am satisfied a majority of the Commissioners had authority to act, and I approve the finding.

(Signed.) J. W. STEVENSON.

JULY 13th, 1870.

A message was received from the Governor by Mr. Samuels, Assistant Secretary of State, announcing that he had approved and signed enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to authorize the county court clerk to furnish cross-indexes for certain record books in Cumberland county.

An act to establish a court of common pleas in Caldwell county.

An act to amend an act, entitled "An act to incorporate the Elizabethtown, Lexington, and Big Sandy Railroad Company," approved January 29, 1869.

An act to protect the public highways in Clark and Montgomery counties.

An act to amend an act, entitled "An act to incorporate St. Paul's Protestant Episcopal Church, in Newport, Kentucky," approved February 10, 1845.

Mr. Hibbs presented the petition of sundry citizens of Marshall county, praying the passage of an act incorporating the city of Calvert, in said county.

Which were received, the reading dispensed with, and referred to the Committee on Corporate Institutions.

On motion, leave of absence, indefinitely, was granted Messrs. Myall and Hurst.

Mr. Simmons, from the Committee on Ways and Means, to whom was referred a bill from the Senate, entitled

An act for the benefit of C. M. Hanks, of Wolfe county,

Reported the same without amendment.

Ordered, That said bill be read a third time.

Said bill was then read a third time as follows, viz:

Whereas, On the 6th day of June, 1868, certain lands, the property of C. M. Hanks, were sold by the sheriff of Morgan county, under *fi. fa.* and *ven. ex.*, from the Franklin circuit court, in favor of the Commonwealth of Kentucky, against said C. M. Hanks, for the revenue due the State from said Hanks, late sheriff of Wolfe county, for the years 1861 and 1862; and whereas, the right of the redemption in and to said land having expired, and the Auditor of Public Accounts having caused said land to be sold by his agent, and the sale of the land aforesaid having fully satisfied the amount of the said purchases made by the State for said land, and being the full amount due from said Hanks to the State for the revenue due for the years 1861 and 1862, as aforesaid, including principal, interest, cost, and damages, and about five hundred dollars over and above the amount of principal, interest, and cost of the said *fi. fa.* and *ven. ex.;* now, therefore,

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That upon the payment into the Public Treasury of the full amount of said revenue due from Wolfe county, for the years 1861 and 1862, including interest and all cost, attorney's fees and commissions, the Auditor shall draw his warrant on the Treasury in favor of said C. M. Hanks for the amount that said land sold for, exceeding the amount of the said revenue due the State from said Hanks

for the said years of 1861 and 1862, including interest ... which excess of the payment of said revenue, interest, and cost, shall be ascertained by actual calculation on final settlement.

§ 2. That upon the presentation of the order of the Auditor in favor of said Hanks, the Treasurer shall pay the same out of any money in the Treasury not otherwise appropriated.

§ 3. This act shall take effect from its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon, in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Bunch),	D. E. Downing,	Thomas H. Moss,
William Adair,	John Duvall,	Elijah C. Phister,
J. M. Atherton,	M. W. Ferguson,	Alfred T. Pope,
Wm. F. Barret,	James P. Ford,	W. V. Prather,
P. W. Barron,	W. W. Frazer,	Douglass L. Price,
Alpheus W. Bascom,	John N. Furber,	G. W. Quick,
Robt. C. Beauchamp,	Robert T. Glass,	William S. Richart,
D. M. Bowen,	L. D. Good,	George W. Silvertooth,
Samuel W. Brents,	D. Hambleton,	Robert Simmons,
Howell Brewer,	T. H. Hays,	Henry H. Skiles,
Landon Carter,	A. J. Hendrickson,	Richard M. Spalding,
J. S. Chrisman,	J. L. Hibbs,	George W. Terrell,
James R. Claybrook,	Jeff. Holeman,	P. M. Thurmond,
Thomas T. Cogar,	William Irwin, sr.,	J. L. Waring,
I. B. Combs,	Alfred M. Jones,	A. D. Weller,
R. L. Cooper,	James Kilgore,	John F. Wight,
Thomas H. Corbett,	G. W. Little,	L. Wilson,
Joseph M. Davidson,	William J. McElroy,	John Wolf,
F. R. Davis,	George R. McKee,	S. M. Wrather,
N. C. Dille,	Mason Morris,	Hugh H. York—60.

In the negative—none.

Resolved, That the title of said bill be as aforesaid.

Mr. Price, from the Committee on Charitable Institutions, who were directed to prepare and bring in the same, reported

A bill to protect the rights and interests of the people against monopolies.

Which was read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be printed and placed in the orders of the day.

The House, according to order, took up for further consideration a bill from the Senate, entitled

An act to amend an act, entitled "An act to amend the 3d section, 2d article, 32d chapter, of the Revised Statutes."

The amendment proposed by the committee was then adopted.

Ordered, That said bill, as amended, be read a third time.

Said bill was then read a third time.

And the question being taken on the passage thereof, it was decided in the affirmative.

Mr. Barret then moved to reconsider the vote by which said bill, as amended, was passed.

And the question being taken on the motion of Mr. Barret, it was decided in the affirmative.

And so said vote was reconsidered.

On motion of Mr. Barret, said bill was recommitted to the Committee on Privileges and Elections.

The House then took up from the orders of the day a bill, entitled

A bill to amend an act, entitled "An act transferring portions of the Elizabethtown and Bell's Tavern Turnpike Road to the counties of Hardin, Hart, and Barren," approved December 23, 1861.

Ordered, That said bill be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Bills from the Senate were reported, without amendment, by the committees to whom they had been referred, of the following titles, viz:

By Mr. Thurmond, from the Committee on County Courts—

An act for the benefit of the county court of Union county.

By same—

An act to authorize the trustees of the town of Leitchfield to discontinue and sell and convey a part of Main cross street in said town.

By Mr. Duvall, from the same committee—

An act to change the time of holding quarterly courts in Harrison county.

By same—

An act prohibiting the vending of ardent, malt, or vinous spirits, in Magoffin county.

By same—

An act to change the time of holding the spring term of the Hopkins circuit court.

Ordered, That said bills be read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Duvall, from the Committee on County Courts, to whom was referred a bill from the Senate, entitled

An act to authorize the county court of Franklin county to take a vote to levy a tax for turnpike purposes,

Reported the same without amendment, and with the expression of opinion by the committee that said bill ought not to pass.

And the question being taken on ordering said bill to be read a third time, the opinion of the committee to the contrary notwithstanding, it was decided in the negative.

And so said bill was disagreed to.

Bills were reported by the several committees, who were directed to prepare and bring in the same, of the following titles, viz :

By Mr. Weller, from the Committee on Internal Improvement—

A bill to amend an act, entitled "An act to incorporate the Springfield, Willisburg, Antioch, and Fox Creek Turnpike Road Company."

By Mr. Thurmond, from the Committee on County Courts—

A bill authorizing the county court of Livingston county to levy an additional tax.

By same—

A bill for the benefit of McCracken county, and to enable her to pay her indebtedness.

By same—

A bill to change the time of holding the quarterly courts in Floyd county.

By Mr. Duvall, from the same committee—

A bill to amend the charter of the town of Cloverport.

By same—

A bill for the benefit of the present and future sheriffs of Bath county.

Which were read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Duvall, from the Committee on County Courts, who originated the same, reported

A bill to transfer certain records of deeds and wills to the clerk's office of the Franklin county court.

Which was read the first time, and ordered to be read a second time.

Said bill was then read a second time.

On motion of Mr. Price, said bill was laid on the table.

The House then took up from the orders of the day a bill, entitled

A bill for the benefit of William O. Mize.

The question was again taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon, in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Bunch),	N. C. Dille,	G. W. Little,
William Adair,	D. E. Downing,	George R. McKee,
George W. Anderson,	John Duvall,	Mason Morris,
J. M. Atherton,	M. W. Ferguson,	Thomas H. Moss,
Wm. F. Barret,	James P. Ford,	Elijah C. Phister,
P. W. Barron,	W. W. Frazer,	Alfred T. Pope,
Alpheus W. Bascom,	John N. Furber,	W. V. Prather,
Rob't C. Beauchamp,	R. T. Glass,	Douglass L. Price,
John W. Blue,	L. D. Good,	G. W. Quick,
D. M. Bowen,	Clinton Griffith,	William S. Richart,
Samuel W. Brents,	D. Hambleton,	George W. Riddle,
Howell Brewer,	William M. Hamlin,	G. W. Silvertooth,
E. Burr,	Ben. Hardin,	Robert Simmons,
Wm. B. Caldwell,	Thomas H. Hays,	R. M. Spalding,
Landon Carter,	A. J. Hendrickson,	George W. Terrell,
J. S. Chrisman,	J. L. Hibbs,	P. M. Thurmond,
James R. Claybrook,	Jas. R. Hindman,	J. L. Waring,
Thomas T. Cogar,	Elijah Hogan,	A. D. Weller,
I. B. Combs,	Jeff. Holeman,	John F. Wight,
R. L. Cooper,	Wm. Irwin, sr.,	L. Wilson,

Thomas H. Corbett, Alfred M. Jones, John Wolf,
Joseph M. Davidson, John W. Kendall, S. M. Wrather,
F. R. Davis, James Kilgore, Hugh H. York—70.
Asbury Dawson,

In the negative—none.

Resolved, That the title of said bill be as aforesaid.

The House took up the amendments proposed by the Senate to bills, which originated in the House of Representatives, of the following titles, viz:

An act to incorporate the Elkton Railroad Company.

An act to amend an act, entitled "An act to amend an act to incorporate the town of West Point, in Hardin county," approved February 15, 1848.

Said amendments were severally concurred in.

The House also took up from the orders of the day bills heretofore reported, of the following titles, viz:

A bill for the benefit of George L. Lanckart, of Fayette county.

A bill for the better securing land titles against secret encumbrances.

And the question being taken on ordering said bills to be engrossed and read a third time, it was decided in the negative.

And so said bills were rejected.

And then the House adjourned.

WEDNESDAY, FEBRUARY 8, 1871.

The following petitions were presented, viz:

By Mr. Silvertooth—

1. The petition of citizens of the town of Clinton, praying the passage of an act to suppress the sale of ardent spirits by the small in said town.

By Mr. Bascom—

2. The petition of members of the State Union and Salt Well Church, praying the passage of an act to enable them to sell their church property, and to appropriate the proceeds to school purposes.

Which were received, the reading dispensed with, and referred—the 1st to the Committee on Revised Statutes, and the 2d to the Committee on Religion.

Mr. Quick, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the Senate of the following title, viz:

An act for the benefit of J. J. Durham, sheriff of Green county;

An act for the benefit of the Danville and Pleasant Hill Turnpike Company;

An act to amend the charter of the Salt River and Dry Branch Turnpike Road Company;

An act to incorporate the Boyd County Navigation, Manufacturing, and Improvement Company;

An act for the relief of the sheriff of Warren county;

And had found the same truly enrolled.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Quick inform the Senate thereof.

A message was received from the Senate, announcing that they had received official information that the Governor had approved and signed an enrolled bill, which originated in the Senate, entitled

An act to amend the charter of the River Road Company, of Jefferson county.

That they had passed bills, which originated in the House of Representatives, of the following titles, viz:

An act providing a commissioner of county claims for Hart county.

An act for the benefit of William P. Carder, of Hart county.

An act to authorize the court of claims of Johnson county to levy and collect an ad valorem and poll-tax for county purposes.

An act for the benefit of the police judge of the town of Hawesville.

An act to authorize the county court of Hardin county to levy a tax to erect public buildings in said county.

An act to increase the levy of Logan county.

An act for the benefit of the Bullitt county court, authorizing them to levy a tax to erect public buildings.

An act providing for the appointment of a county treasurer for Lincoln county.

An act to increase the salaries of the judges of the circuit courts, criminal courts, courts of common pleas, and of the chancellor of the Louisville chancery court.

With an amendment to the last named bill.

And that they had passed bills of the following titles, viz:

1. An act to cause good school-houses to be erected in the Eighth and Ninth Congressional Districts.

2. An act to amend an act, entitled "An act to authorize the St. Louis Bertrand Society, of the city of Louisville, to issue mortgage bonds."

3. An act to amend an act, entitled "An act to amend the 3d section, 2d article, 32d chapter, of the Revised Statutes," approved February 16, 1858.

4. An act for the benefit of A. C. Thomas, late sheriff of Nelson county, and his sureties.

5. An act for the benefit of the county of Fleming.

Which were read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That the 1st be referred to the Committee on Education; the 2d to the Committee on Corporate Institutions; the 3d to the Committee on Revised Statutes; and the 4th and 5th to the Committee on Railroads.

Mr McKee read and laid on the table the following joint resolution, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That when they adjourn on Wednesday, the 1st day of March, they will adjourn without day.

Mr. McKee offered also the following resolution, viz:

Resolved, That from and after Monday next, the 13th inst., the House will meet at half-past 9 o'clock, A. M., adjourn at 1 o'clock, P. M.; meet again at 3 o'clock, P. M., and adjourn at 5 o'clock, P. M.; and that the call of the counties on Wednesdays be dispensed with; and that the afternoon session be devoted to the call of standing committees.

Which was twice read.

And the question being taken on the adoption of said resolution, it was decided in the negative.

A message was received from the Governor by Mr. Samuels, Assistant Secretary of State, announcing that he had approved and signed an enrolled bill, which originated in the House of Representatives, entitled

An act to charter the town of Adairsville, in Logan county.

On motion of Mr. Glass, the House took up for further consideration a bill, entitled

A bill for the benefit of the several banks of issue of this Commonwealth.

Ordered, That the consideration thereof be postponed to, and made the special order of the day for, Wednesday, 15th instant, at 10½ o'clock, A. M.

Mr. Simmons, from the Committee on Ways and Means, who were directed to prepare and bring in the same, reported

A bill to facilitate the collection of the public revenue.

Which was read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be printed and placed in the orders of the day.

Leave was given to bring in the following bills, viz:

On motion of Mr. Phister—

1. A bill to authorize the city of Maysville to subscribe and pay for stock in the Maysville and Lexington Railroad Company, Northern Division.

On motion of Mr. Price—

2. A bill to incorporate the Phœnix Fire Insurance Company, of Lexington.

On motion of Mr. Bascom—

3. A bill to incorporate the town of Frenchburg, in Menifee county.

On motion of same—

4. A bill to incorporate the Frenchburg and Owingsville Turnpike Road Company.

On motion of same—

5. A bill to incorporate the Maux Branch Turnpike Road Company.

On motion of Mr. Blue—

6. A bill to amend an act, entitled "An act for the benefit of late clerks, sheriffs, jailers, and other civil officers of this Commonwealth, having uncollected fee bills," approved January 19, 1870, so as to make said act applicable to all former clerks, sheriffs, jailers, and other civil officers having uncollected fee bills, and to continue said act in force for two years from the 12th February, 1871.

On motion of Mr. Bowen—

7. A bill to authorize Capital Lodge, No. 6, I. O. O. F., of the city of Frankfort, to issue bonds.

On motion of Mr. Silvertooth—

8. A bill for the benefit of John A. Wilson, clerk of the Fulton county court.

On motion of Mr. Beauchamp—

9. A bill to repeal the laws known as the wolf and fox scalp laws.

On motion of Mr. Adair—

10. A bill to amend article 2, section 6, of an act to revise, amend, and reduce into one the laws relating to the common schools of Kentucky, approved March 21, 1870.

On motion of Mr. Cantrill—

11. A bill for the benefit of the presiding judge of the Scott county court.

On motion of Mr. Atherton—

12. A bill to incorporate the New Haven and Howard's Mill Turnpike Road Company.

On motion of Mr. McCreary—

13. A bill incorporating the Mill Grove and Paint Lick Creek Turnpike Company, in Madison county.

On motion of Mr. Cooper—

14. A bill to amend an act, entitled "An act to establish an Insurance Bureau."

On motion of Mr. T. E. Moss—

15. A bill to authorize the county court of McCracken to subscribe and take stock in rail and gravel roads, and provide means for paying same.

On motion of same—

16. A bill for the benefit of McCracken county.

On motion of same—

17. A bill to regulate the assessment of property in McCracken county.

On motion of same—

18. A bill to amend the road laws of this Commonwealth.

On motion of same—

19. A bill to amend the charter of the town of Mayfield, Graves county.

On motion of same—

20. A bill for the benefit of J. C. Calhoun, sheriff of McCracken county.

On motion of same—

21. A bill to give the sheriff of McCracken county credit upon his railroad tax list for the property sold by him for same, and purchased by the county.

On motion of Mr. Kendall—

22. A bill in relation to the sale of spirituous liquors in Morgan county.

On motion of Mr. Davidson—

23. A bill creating the office of county treasurer of Floyd county.

On motion of Mr. Prather—

24. A bill to incorporate the town of Mt. Olivet, in Robertson county.

On motion of Mr. Skiles—

25. A bill to establish a new voting precinct in Warren county.

On motion of same—

26. A bill for the benefit of S. S. Potter, of Warren county.

On motion of Mr. T. E. Moss—

27. A bill to incorporate the Obion Presbytery of the Cumberland Presbyterian Church, in Western Kentucky.

On motion of Mr. Claybrook—

28. A bill to prohibit the sale of intoxicating liquors along the line of certain turnpike roads in Washington county.

On motion of same—

29. A bill authorizing the election of town officers for Mackville, in Washington county.

On motion of Mr. Little—

30. A bill to reduce into one the several acts exempting property from sale under execution in this Commonwealth.

On motion of Mr. Hindman—

31. A bill to authorize the building of turnpike and gravel roads in the county of Adair.

On motion of Mr. Harcourt—

32. A bill permitting the town of Shepherdsville to subscribe stock to the Paroquet Springs Company.

Ordered, That the Committee on Railroads prepare and bring in the 1st; the Committee on Insurance the 2d and 14th; the Committee on Corporate Institutions the 3d, 19th, 24th, 29th, and 32d; the Committee on Internal Improvement the 4th, 5th, 12th, 13th, and 18th; the Committee on Ways and Means the 6th; the Committee on Charitable Institutions the 7th and 27th; the Committee on Revised Statutes the 9th, 22d, and 30th; the Committee on Education the 10th; the Committee on County Courts the 11th, 15th, 16th, 17th, 23d, 28th, and 31st; the Committee on Propositions and Grievances the 20th and 21st; the Committee on Privileges and Elections the 25th; a select committee, consisting of Messrs. Silvertooth, Carter, and Spalding, the 8th; and a select committee, consisting of Messrs. T. H. Hays, Burr, and Brents, the 26th.

Bills were reported by the several committees, who were directed to prepare and bring in the same, of the following titles, viz:

By Mr. Skiles, from the Committee on Education—

A bill to authorize the trustees of common school district No. 1, in Logan county, to levy and collect a tax for the purpose of erecting common school buildings in said district.

By Mr. McCreary, from the Committee on Railroads—

A bill to authorize the city of Maysville to subscribe and pay for stock in the Maysville and Lexington Railroad Company, Northern Division.

Which were read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Frazer moved the following resolution, viz:

Resolved, That a committee of three members be appointed to visit the Western Lunatic Asylum, and that they act in conjunction with a similar committee already appointed by the Senate.

Which was twice read and adopted.

Mr. Cogar, from the Committee on Internal Improvement, who were directed to prepare and bring in the same, reported

A bill to provide for the improvement of Tradewater river,

Without the expression of opinion thereon by the committee.

Ordered, That said bill be printed, and made the special order of the day for Friday, 10 inst., at 10½ o'clock, A. M.

Mr. Pope moved the following resolution, viz:

Resolved, That the use of this Hall is hereby tendered the Rev. W. H. Milburn, on Friday evening next, for the purpose of lecturing therein.

Which was twice read and adopted.

According to order, the House took up for further consideration a bill, entitled

A bill to appropriate money to finish the fire-proof offices in the city of Frankfort, and for other purposes.

Mr. Spalding moved an amendment to said bill.

On motion of Mr. Bowen, said bill and amendment were committed to a Committee of the Whole House, to set at 11 o'clock, A. M., on Friday, the 10th inst.

According to order, the House took up for further consideration a bill, entitled

A bill authorizing and directing the sale of the interest and stock owned by the State of Kentucky in turnpike roads or turnpike road companies,

With the amendment offered thereto.

Mr. Price then moved an amendment to the amendment of Mr. Wolf.

Pending discussion thereon, on motion, the House adjourned.

THURSDAY, FEBRUARY 9, 1871.

Mr. Quick, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the Senate, of the following titles, viz:

An act for the benefit of the county court of Union county;

An act to authorize the trustees of the town of Leitchfield to discontinue and sell and convey a part of Main cross street in said town;

An act prohibiting the vending of ardent, malt, or vinous spirits, in Magoffin county;

An act to change the time of holding quarterly courts in Harrison county;

An act for the benefit of C. M. Hanks, of Wolfe county;

An act to change the time of holding the spring term of the Hopkins circuit court;

And also enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to repeal an act, entitled "An act for the benefit of the negroes and mulattoes of this Commonwealth," approved March 9, 1867;

An act to amend an act, entitled "An act to amend an act to incorporate the town of West Point, in Hardin county," approved February 15, 1848;

An act to incorporate the town of Canmer, in the county of Hart;

An act empowering the trustees of Salem Presbyterian Church, in Clark county, to sell and convey certain lots or tracts of land on which their parsonage property and house of worship are situated, with authority to reinvest the proceeds of the sale;

An act to authorize the board of councilmen of the city of Frankfort to subscribe to the capital stock of the Frankfort and Flat Creek Turnpike Road Company;

An act concerning the retail of spirituous, vinous, or malt liquors in a part of Jefferson county;

An act authorizing the issue of county bonds by the court of claims of Shelby county;

And had found the same truly enrolled.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Quick inform the Senate thereof.

A message was received from the Senate, announcing that they had received official information that the Governor had approved and signed enrolled bills, which originated in the Senate, of the following titles, viz:

An act to amend an act, entitled "An act to incorporate the town of Leitchfield."

An act for the benefit of Geo. W. Stubblefield, of Fulton county.

An act to incorporate the town of Rich Pond, in Warren county.

An act permitting the citizens of Louisa to vote whether or not liquors shall be sold in said town.

An act for the benefit of Rufus G. Salyers, late deputy sheriff of Magoffin county.

An act to amend an act, entitled "An act to provide for the organization and regulation of incorporated companies, except banking, insurance, and railroad companies," approved March 15, 1870.

That they had disagreed to a bill, which originated in the House of Representatives, entitled

An act to authorize the trustees of the Cincinnati Southern Railway to acquire the right of way, and to extend a line of railway through certain counties in this Commonwealth.

That they had passed bills, which originated in the House of Representatives, of the following titles, viz:

An act to incorporate the Lexington Water-works Company.

An act to amend an act, entitled "An act to incorporate the town of New Haven, in Nelson county."

An act in relation to official sales in Boyle county.

With an amendment to the last named bill.

And that they had passed a bill, entitled

An act for the benefit of the personal representatives of Robert Foster, deceased.

Which was read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be referred to the Committee on the Judiciary.

On motion of Mr. Adair, a committee was appointed by the Speaker, consisting of Messrs. Adair and Atherten, to wait upon the Governor, and, in conjunction with a similar committee ap-

pointed by the Senate, to request him to return unsigned an enrolled bill, which originated in the Senate, entitled

An act to incorporate the Caverna Deposit Bank.

On motion of Mr. Chrisman,

Ordered, That the House will, on Tuesday next, the 14th inst., at 11 o'clock, A. M., proceed to consider, in Committee of the Whole, a bill, entitled

A bill to amend chapter 107, Revised Statutes.

A message was received from the Senate, asking leave to withdraw from the House the announcement of the passage by the Senate of a bill, which originated in the House of Representatives, entitled

An act revising the charter of the city of Paducah.

Which was granted.

The Speaker appointed Messrs. Frazer, T. H. Moss, and Holeman, the committee to visit the Western Lunatic Asylum under the resolution adopted on yesterday.

The Speaker laid before the House the response of the Auditor to a resolution heretofore adopted, which was taken up and read as follows, viz:

OFFICE AUDITOR PUBLIC ACCOUNTS,
FRANKFORT, KY., February 9th, 1871.

Hon. JOHN T. BUNCH, *Speaker of the House of Representatives:*

SIR: In response to the resolution adopted in the House of Representatives on the 2d inst., calling on me for certain information in regard to turnpike roads in this Commonwealth, I have the honor to submit the inclosed tabular statement. This statement may not be exactly correct, but it is as nearly so as it is possible to make it from the records of this department.

I also respectfully call the attention of the House of Representatives to an act approved December 23d, 1861, entitled "An act transferring portions of the Elizabethtown and Bell's Tavern Turnpike Road to the counties of Hardin, Hart, and Barren." (*See Session Acts* 1861–'62–'63, *pages* 147 *and* 148.)

Very respectfully,
Your obedient servant,
D. HOWARD SMITH, *Auditor*.

No. 1.

NAME AND LOCATION OF ROAD.	Miles of road.	Amount paid by State.	Dividends, 1867.	Dividends, 1868.	Dividends, 1869.	Dividends, 1870.	Total dividends.
Maysville, Washington, Paris, and Lexington	64	$213,200 00					
Board Internal Improvement, Shelby County	9	20,000 00			$400 00	$400 00	$800 00
Shelby County Turnpike Road	23	45,000 00		$716 39	955 19	1,432 78	3,104 36
Muldrough's Hill and Bridge	5	55,145 46					
Franklin County, from Hardinsville to Crab Orchard	4	*17,064 00					
Anderson County, from Hardinsville to Crab Orchard	18	42,950 00	$702 73	755 92	599 86	758 49	2,817 00
Mercer County, from Hardinsville to Crab Orchard	23	71,800 00	1,436 00	1,436 00	3,949 00	2,154 00	8,975 00
Lincoln County, from Hardinsville to Crab Orchard	20	51,299 00	1,094 10	468 90	781 50	833 60	3,178 10
Frankfort, Lexington, and Versailles	27	78,122 00	781 22	2,734 27	1,562 44	3,124 88	8,202 81
Danville, Lancaster, and Nicholasville	42	151,382 00	5,692 18	4,543 22	3,785 02	3,026 82	17,047 24
Frankfort and Georgetown (Franklin portion)	6	15,400 00	462 00	308 00	462 00	308 00	1,540 00
Frankfort and Georgetown (Scott portion)	11	43,325 00				213 50	213 50
Winchester and Lexington	18	45,100 00	2,847 12	902 00		1,353 00	5,102 12
Covington, Williamstown, and Georgetown	37	86,912 66	6,518 43	7,822 12	7,822 12	5,214 74	27,377 41
Williamstown and Georgetown	36	83,223 11	827 00	827 00	827 00	827 00	3,308 00
Lexington and Georgetown	12	30,270 00	1,057 00	1,208 00	1,510 00	1,208 00	4,983 00
Richmond and Lexington	25	†75,383 00					
Louisville to mouth of Salt River	21	‡65,340 99					
Mouth of Salt River to Elizabethtown	22	84,580 16					
Elizabethtown to Bell's Tavern	49	118,778 24					
Bell's Tavern to Bowling Green	24	85,488 70					
Bowling Green to Tennessee Line	27	§87,194 16					
Springfield to Bardstown	18	65,190 60					
Lexington, Harrodsburg, and Perryville	42	109,646 00	4,638 56	6,029 37	2,192 50		12,860 43
Louisville and Bardstown	29	100,000 00			1,500 00	1,320 00	2,820 00
Bardstown and Glasgow	69	289,825 19					
Glasgow to Tennessee Line	36	110,385 38					
Maysville and Mount Sterling	50	88,072 59			3,080 00		3,080 00

Anderson County and Versailles	12	20,000 00					
Logan, Todd, and Christian	76	149,428 91					
Maysville and Bracken	18	25,948 00	556 85	362 60			919 45
New Market, Lebanon, and Springfield	15	2,655 82	159 35	159 35	159 35		478 05
Green and Taylor County	----	11,362 11					
Total,	888	$2,539,473 08	$26,772 54	$28,273 14	$29,585 98	$22,174 81	$106,806 47

*Leased out. †Appropriated to build bridge. ‡Sold under act 5th March, 1869. ?Leased out.

No. 2.

NAME AND LOCATION OF ROAD.	Miles of road.	Amount paid by State.	Receipts, 1867.	Receipts, 1868.	Receipts, 1869.	Receipts, 1870.
Maysville, Washington, Paris, and Lexington	64	$213,200 00	$26,976 62	$22,117 11	$38,231 70	$27,444 14
Franklin county, from Frankfort to Shelby	9	20,000 00	1,264 14	1,827 20	2,040 30	
Shelby County Board of Internal Improvement	23	45,000 00	7,311 45	7,003 75	6,766 95	7,324 00
* Muldrough's Hill and Bridge	5	55,145 46	1,769 30	1,771 38	2,079 20	1,066 45
† Franklin County, from Hardinsville to Crab Orchard	4	17,064 00				
Anderson County Board of Internal Improvement	18	42,950 00	2,643 60	2,219 00	2,241 15	2,111 39
Mercer County Board of Internal Improvement	23	71,800 00	3,395 02	9,042 62	6,489 25	
Lincoln County Board of Internal Improvement	20	51,299 00	3,714 16	3,446 07	3,471 05	3,383 55
Frankfort, Lexington, and Versailles	27	78,122 00	11,297 88	11,321 24	16,993 90	17,601 18
‡ Danville, Lancaster, and Nicholasville	42	151,382 00	16,419 62	19,407 78	17,781 92	8,125 35
Frankfort and Georgetown (Franklin portion)	6	15,400 00	1,083 32	1,725 25	1,898 10	1,873 70
§ Frankfort and Georgetown (Scott portion)	11	43,325 00	1,389 21	875 15	997 00	249 35
Winchester and Lexington	18	45,100 00	10,516 53	10,700 30	11,121 10	11,821 86
Covington, Williamstown, and Georgetown	37	86,912 66	33,935 88	31,761 94	23,793 91	26,592 14
Williamstown and Georgetown	36	83,223 11	5,017 10	4,603 13	4,700 98	4,030 80
Lexington and Georgetown	12	30,270 00	6,125 12	2,549 60	6,467 04	
Richmond and Lexington	25	75,383 00	18,761 70	12,676 93	14,334 63	8,302 32
‖ Louisville to mouth of Salt River	21	65,340 99				
Mouth of Salt River to Elizabethtown	22	84,580 16	448 90	607 05	316 25	666 85
¶ Elizabethtown to Bell's Tavern	49	118,778 24				
Bell's Tavern to Bowling Green	24	85,488 70				
** Bowling Green to Tennessee Line	27	87,194 16				
Springfield to Bardstown	18	65,190 60		2,301 65	3,294 98	4,479 90
†† Lexington, Harrodsburg, and Perryville	42	109,646 00	13,961 05	15,235 19	10,836 96	7,228 01
Louisville and Bardstown	29	100,000 00	10,609 30	6,439 90		8,288 62
Bardstown and Glasgow	69	289,825 19	1,846 50			1,782 16
Glasgow to Tennessee Line	36	110,385 38				
Maysville and Mount Sterling	50	88,072 59	21,155 76	20,757 56	24,324 34	24,894 51

Anderson County and Versailles	12	20,000 00	1,024 35	2,235 51	1,618 32	689 37
‡‡Logan, Todd, and Christian	76	149,428 91				
Maysville and Bracken	18	25,948 00	4,069 12	3,887 13	5,271 43	4,714 86
⁂New Market, Lebanon, and Springfield	15	2,655 82	2,758 87	5,479 00	5,495 17	2,775 04
Green and Taylor Counties	------	11,362 11	342 15	127 05	577 00	280 25
Total	888	$2,539,473 08	$207,836 65	$200,118 49	$211,142 63	$175,725 80

*$3,624 88 of this expenditure paid to Columbia and Burksville Road. †Leased out. ‡No report for last six months of 1870. ⁂No report for half year of 1868. ‖Sold under act 5th March, 1869. ¶See chapter 372, page 147, acts of 1861–'62–'63. **Leased out. ††No report for last six months. ‡‡No report received here. ⁂No report since July, 1870.

No. 2—Continued.

NAME AND LOCATION OF ROAD.	Expenditures, 1867.	Expenditures, 1868.	Expenditures, 1869.	Expenditures, 1870.	Total Receipts.	Total Expenditures.
Maysville, Washington, Paris, and Lexington	$25,396 42	$17,635 97	$35,602 23	$27,299 24	$114,769 57	$105,933 86
Franklin County, from Frankfort to Shelby	1,051 00	1,077 10	2,791 34		5,131 64	4,919 44
Shelby County Board of Internal Improvement	7,266 16	6,178 43	6,833 00	7,752 18	28,406 15	28,029 77
Muldrough's Hill and Bridge	1,629 07	1,629 08	1,629 07	1,629 08	6,686 33	6,516 30
Franklin County, from Hardinsville to Crab Orchard						
Anderson County Board of Internal Improvement	2,656 44	2,229 24	2,243 56	2,111 43	9,215 14	9,240 67
Mercer County Board of Internal Improvement	2,899 62	7,421 57	6,889 15		18,926 89	17,210 34
Lincoln County Board of Internal Improvement	1,832 32	1,469 45	1,641 05	2,898 91	14,014 83	7,841 73
Frankfort, Lexington, and Versailles	8,598 56	6,011 80	8,938 53	13,155 53	57,214 20	36,704 42
Danville, Lancaster, and Nicholasville	17,385 51	19,489 71	17,770 04	8,173 05	61,734 67	62,818 31
Frankfort and Georgetown (Franklin portion)	1,203 22	1,732 29	1,948 47	1,833 00	6,580 37	6,716 98
Frankfort and Georgetown (Scott portion)	1,195 80	1,065 25	858 79	1,032 05	3,510 71	4,151 89
Winchester and Lexington	8,119 29	9,747 35	10,885 89	11,313 43	44,159 79	40,065 96
Covington, Williamstown, and Georgetown	28,002 13	33,688 46	15,565 69	27,380 77	116,083 87	104,637 05
Williamstown and Georgetown	3,077 36	5,154 40	4,070 86	3,153 50	18,352 01	15,456 12
Lexington and Georgetown	3,858 47	710 98	4,064 44		15,141 76	8,633 89
Richmond and Lexington	7,225 69	12,467 00	27,336 80	17,686 80	54,075 58	64,716 29
Louisville to mouth of Salt River						
Mouth of Salt River to Elizabethtown	383 72	900 46	358 76	943 26	2,039 05	2,586 20
Elizabethtown to Bell's Tavern						
Bell's Tavern to Bowling Green						
Bowling Green to Tennessee Line						
Springfield to Bardstown		2,775 69	3,306 09	4,528 02	10,076 53	10,609 80
Lexington, Harrodsburg, and Perryville	8,193 70	10,730 39	7,193 54	3,133 25	47,261 21	29,250 88
Louisville and Bardstown	10,334 26	4,866 64		5,075 87	25,337 82	20,276 77
Bardstown and Glasgow	2,247 20			1,506 10	3,628 66	7,753 30
Glasgow to Tennessee Line						
Maysville and Mount Sterling	23,081 26	21,387 34	25,087 05	24,325 31	91,132 17	93,880 96

Anderson County and Versailles	1,152 80	1,817 73	2,006 56	770 44	5,567 55	5,747 53
Logan, Todd, and Christian						
Maysville and Bracken	2,465 38	3,723 99	3,950 41	4,210 87	17,942 54	14,350 65
New Market, Lebanon, and Springfield	3,113 27	5,302 54	5,001 56	2,812 29	16,508 08	16,229 66
Green and Taylor County	597 20		428 41	339 14	1,326 45	1,364 75
Total	$172,965 85	$179,212 86	$196,401 29	$173,063 52	$794,823 57	$721,643 52

Attest: D. HOWARD SMITH, *Auditor.*

Ordered, That the usual number of copies thereof be printed for the use of the House.

The following petitions and remonstrances were presented, viz:

By Mr. Simmons—

1. The remonstrance of certain citizens and stockholders in the Covington and Lexington Railroad Company, against the passage of a law granting corporate privileges to certain parties therein named, &c.

By Mr. Myall—

2. The petition of certain citizens and business men of Paris, praying that the Legislature will grant the charter prayed for by the Central Kentucky Railroad Company.

By Mr. Weller—

3. The petition of certain citizens of Grayson county, praying the passage of an act prohibiting the sale of spirituous liquors within five miles of the Falls of Rough, in said county.

By Mr. Brents—

4. The petition of citizens of Cave City, praying the passage of a law making a chairman of the board of trustees of said town until the next regular election.

By Mr. Harcourt—

5. The petition of citizens of Spencer county, praying that the county court of said county be authorized to levy a tax for turnpike purposes.

By Mr. Downing—

6. The petition of citizens of the town district of Tompkinsville, praying the passage of an act to allow holders of real estate in said town to vote for officers of said town.

By Mr. Kendall—

7. The petition of citizens living in the valley of the Licking river, praying an amendment of the charter of the Licking River Lumber and Mining Company, so as to require them to raft their logs before running them on the river.

By same—

8. The remonstrance of citizens of Morgan, Rowan, and Magoffin counties, against any amendment to the charter of the Licking Lumber and Mining Company.

Which were received, the reading dispensed with, and referred—the 1st and 2d to the Committee on Railroads; the 3d to the Committee on Religion; the 4th, 5th, and 6th to the Committee on Corpo-

rate Institutions; and the 7th and 8th to the Committee on Propositions and Grievances.

The House then took up for further consideration the unfinished order of yesterday, viz:

A bill authorizing and directing the sale of the interest and stock owned by the State of Kentucky in turnpike roads or turnpike road companies,

And the amendments offered thereto.

The question was taken on the amendment moved by Mr. Atherton to the amendment moved by Mr. Wolf, and it was decided in the negative.

And so the amendment to the amendment aforesaid was rejected.

Mr. Price then moved an amendment to the amendment moved by Mr. Wolf.

The amendment moved by Mr. Wolf reads as follows, viz:

Add to 3d section, "*Provided*, That the Governor shall appoint three Commissioners, who shall be duly sworn, and, under oath, shall proceed to value all such stocks before being offered for sale; and in case said stocks shall not bring their appraised value, they shall not be sold until such times as they will bring their appraised value."

The amendment to the amendment of Mr. Wolf, moved by Mr. Price, reads as follows, viz:

Provided further, The Commissioners of the Sinking Fund shall not sell any of the State stock until they shall have ascertained what it can be sold for per share, and reported the same to the General Assembly for approval.

The question was then taken on the adoption of said amendment to the amendment of Mr. Wolf, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Price and Chrisman, were as follows, viz:

Those who voted in the affirmative, were—

P. W. Barron,	Robert T. Glass,	G. W. Little,
Alpheus W. Bascom,	Clinton Griffith,	Mason Morris,
John W. Blue,	William M. Hamlin,	E. A. Pearson,
E. Burr,	Ashton P. Harcourt,	Elijah C. Phister,
Landon Carter,	Ben. Hardin,	Alfred T. Pope,
J. S. Chrisman,	T. H. Hays,	W. V. Prather,
James R. Claybrook,	A. J. Hendrickson,	Douglass L. Price,
I. B. Combs,	J. L. Hibbs,	G. W. Quick,
R. L. Cooper,	James R. Hindman,	Wm. S. Richart,
F. R. Davis,	Elijah Hogan,	Henry H. Skiles,
Asbury Dawson,	Jeff. Holeman,	R. K. Smith,

N. C. Dille,	R. E. Humphrey,	Geo. W. Terrell,
D. E. Downing,	Elijah Hurst,	P. M. Thurmond,
H. G. Duerson,	William Irwin, sr.,	L. Wilson,
James P. Ford,	George M. Jessee,	John Wolf,
John N. Furber,	Alfred M. Jones,	Hugh H. York—48.

Those who voted in the negative, were—

Mr. SPEAKER (Bunch),	Joseph M. Davidson,	William J. McElroy,
William Adair,	Geo. R. Diamond,	George R. McKee,
J. M. Atherton,	John Duvall,	Thomas H. Moss,
Wm. F. Barret,	W. W. Frazer,	Edward Myall,
J. F. Baugh,	L. D. Good,	W. H. Pettus,
Robert C. Beauchamp,	D. Hambleton,	Geo. W. Silvertooth,
D. M. Bowen,	John W. Kendall,	Robert Simmons,
Samuel W. Brents,	James Kilgore,	Richard M. Spalding,
Howell Brewer,	Francis M. Lowe,	A. D. Weller,
James E. Cantrill,	James B. McCreary,	John F. Wight—31.
A. T. Coffman,		

Mr. Phister then moved an amendment to the amendment of Mr. Wolf, as amended.

Pending the consideration of the same, on motion, said bill and amendments were postponed to, and made the special order of the day for, Wednesday, 15th inst., at 11 o'clock, A. M.

The House took up the amendment proposed by the Senate to a bill, which originated in the House of Representatives, entitled

An act to revise, digest, and compile the statute laws of this State.

The question was then taken on concurring in the amendment proposed by the Senate to said bill, and it was decided in the negative.

The House then took up the joint resolution moved by Mr. McKee on yesterday, entitled

Resolution fixing day for final adjournment.

Said resolution being again read, was adopted.

And then the House adjourned.

FRIDAY, FEBRUARY 10, 1871.

The Speaker of the House being absent, Hon. James S. Chrisman, the member from Wayne, was unanimously elected Speaker during the absence of the regularly elected presiding officer.

Leave was given to bring in the following bills, viz:

On motion of Mr. Lowe—

1. A bill to prohibit the retailing of spirituous, vinous, or malt liquors within two miles of Demossville, in Pendleton county.

On motion of Mr. Claybrook—

2. A bill to authorize the county court of Washington county to levy a tax to pay county indebtedness on account of turnpike roads.

On motion of Mr. Richart—

3. A bill for the benefit of common school district No. 19, in Montgomery county.

Ordered, That the Committee on Propositions and Grievances prepare and bring in the 1st; the Committee on County Courts the 2d; and the Committee on Education the 3d.

Mr. T. H. Hays moved the following resolution, viz:

Resolved, That Hon. R. H. Bigham and Col. Arthur Hood, regularly accredited delegates from the State of Georgia, asking the passage of a charter to build a railroad to connect the two States—Georgia and Kentucky—be invited to seats upon this floor; and that the Speaker appoint a committee of three members of this House to extend this courtesy to those honorable representatives from a sister State.

Which being twice read, was unanimously adopted; and thereupon the Speaker appointed Messrs. T. H. Hays, Price, and Wolf the committee raised by said resolution.

Mr. Quick, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to incorporate the Elkton Railroad Company;

An act providing a commissioner of county claims for Hart county;

An act for the benefit of William P. Carder, of Hart county;

An act to authorize the court of claims of Johnson county to levy and collect an ad valorem and poll-tax for county purposes;

An act for the benefit of the police judge of the town of Hawesville;

An act to incorporate the Lexington Water-works Company;

An act to amend an act, entitled "An act to incorporate the town of New Haven, in Nelson county;"

An act to authorize the county court of Hardin county to levy a tax to erect public buildings in said county;

An act to increase the levy of Logan county;

An act for the benefit of the Bullitt county court, authorizing them to levy a tax to erect public buildings;

And had found the same truly enrolled.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Quick inform the Senate thereof.

Mr. Adair, from the Committee appointed to wait on the Governor and to request him to return to this House, unsigned, a bill which originated in the Senate, entitled

An act to incorporate the Caverna Deposit Bank,

Reported that they had discharged that duty, and that the Governor had delivered said bill, unsigned, to the committee, which was laid on the Clerk's table.

A message was received from the Senate, announcing that they had received official information that the Governor had approved and signed enrolled bills, which originated in the Senate, of the following titles, viz:

An act to incorporate the Mississippi and Southern Atlantic Railroad Company.

An act to amend the charter of the Salt River and Dry Branch Turnpike Road Company.

An act for the benefit of J. J. Durham, sheriff of Green county.

An act for the relief of the sheriff of Warren county.

An act for the benefit of the Danville and Pleasant Hill Turnpike Company.

An act to incorporate the Boyd County Navigation, Manufacturing, and Improvement Company.

That they had disagreed to bills, which originated in the House of Representatives, of the following titles, viz:

An act to amend article 3, chapter 47, Revised Statutes.

An act to amend section 5, article 2, chapter 20, Revised Statutes, so far as Paducah is concerned.

An act for the benefit of the police judge of Woodburn.

That they had passed bills, which originated in the House of Representatives, of the following titles, viz:

An act to amend section 326 of the Civil Code of Practice.

An act to amend chapter 7 of the Revised Statutes, title "Boats and Navigation."

An act for the benefit of John W. Robinson, of Hickman county.

An act to incorporate the Kentucky and Tennessee Railroad Company.

An act to amend an act, entitled "An act to amend and reduce into one the several acts concerning the town of Hopkinsville," approved March 5, 1870.

An act to amend the charter of the Louisville and Salt River Turnpike Road Company.

An act to incorporate the town of Sebree City, in Webster county.

An act to incorporate the town of Centre, in Metcalfe county.

An act to amend an act, entitled "An act to extend the limits of the town of Warsaw, and to amend, consolidate, and reduce into one all laws pertaining to said town," approved February 25, 1869.

An act to amend section 47, Criminal Code of Practice.

An act in relation to depositions heretofore taken, and oaths heretofore administered, by persons known as examiners.

An act to enable the Louisville Pilots' Benevolent and Relief Association to wind up and discontinue its affairs.

An act for the benefit of the county attorney of Caldwell county.

An act to amend an act, entitled "An act to amend the charter of Bryantsville."

An act amendatory of an act to amend an act, entitled "An act to incorporate the town of Hiseville, in Barren county."

An act to amend an act, entitled "An act to incorporate the town of Concordia."

An act to amend sections 4 and 23, article 2, chapter 56, Revised Statutes, title "Landlord and Tenant," and sections 721 and 722, Civil Code of Practice.

An act to amend chapter 84, title "Roads and Passways," Revised Statutes.

An act revising the charter of the city of Paducah.

With amendments to the last three named bills.

And that they had passed bills of the following titles, viz:

1. An act to change the western boundary of the city of Louisville.

2. An act to amend the charter of the city of Hickman.

3. An act to repeal all acts declaring the Bayou DeChein a navigable stream.

4. An act transferring the property of, and debts owing to, the trustees of the Harrodsburg Academy, known also as the Mercer County Seminary, to the board of trustees of the town of Harrodsburg, for common school purposes, and authorizing said board to sue for the same.

Which were read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That they be referred—the 1st and 2d to the Committee on Corporate Institutions; the 3d to the Committee on Internal Improvement; and the 4th to the Committee on Education.

On motion, leave of absence, indefinitely, was granted Mr. Pope.

Mr. Thurmond moved the following preamble and resolution, which being amended on the motion of Mr. Barret, and twice read, were adopted, viz:

WHEREAS, It has been made known to this General Assembly that over one hundred thousand dollars have been expended in erecting a State building, which is not yet completed; and whereas, an additional appropriation of fifty-five thousand dollars is asked to complete same, and a bill for that purpose is now pending before this House; therefore,

Be it resolved, That the Speaker of this House be requested to appoint a committee of five to visit and examine said building; and said committee are hereby instructed to report to this House, on or before Wednesday next, whether or not, in their judgment, the said building is substantially erected, and also as to the propriety of making the additional appropriation for its completion; and to make also such other and further investigations as will enable this House to determine what is best to be done; of which they will also make report to this House.

And thereupon the Speaker appointed on said committee Messrs. Griffith, Irwin, Bowen, Wolf, and Atherton.

A message was received from the Governor by Mr. Samuels, Assistant Secretary of State, announcing that he had approved and signed enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to amend an act, entitled "An act to amend an act to incorporate the town of West Point, in Hardin county," approved February 15, 1848.

An act concerning the retail of spirituous, vinous, or malt liquors in a part of Jefferson county.

An act to incorporate the town of Canmer, in the county of Hart;

An act authorizing the issue of county bonds by the court of claims of Shelby county.

An act empowering the trustees of Salem Presbyterian Church, in Clark county, to sell and convey certain lots or tracts of land on which their parsonage property and house of worship are situated, with authority to reinvest the proceeds of the sale.

An act to repeal an act, entitled "An act for the benefit of the negroes and mulattoes of this Commonwealth," approved March 9, 1867.

An act to authorize the board of councilmen of the city of Frankfort to subscribe to the capital stock of the Frankfort and Flat Creek Turnpike Road Company.

The House then, according to order, took up for consideration a bill, entitled

A bill to increase the jurisdiction of magistrates in this Commonwealth.

Which was read the first time.

Mr. Blue then moved to lay said bill on the table.

And the question being taken on the motion of Mr. Blue, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Frazer and Carter, were as follows, viz:

Those who voted in the affirmative, were—

Silas Adams,	Thomas T. Cogar,	Clinton Griffith,
J. M. Atherton,	Joseph M. Davidson,	D. Hambleton,
Wm. F. Barret,	F. R. Davis,	Ashton P. Harcourt,
John W. Blue,	M. W. Ferguson,	Thomas H. Hays,
D. M. Bowen,	James P. Ford,	William Irwin, sr.,
James E. Cantrill,	John N. Furber,	James B. McCreary,
J. S. Chrisman,	Robert T. Glass,	George R. McKee—23.
James R. Claybrook,	L. D. Good,	

Those who voted in the negative, were—

William Adair,	Ben. Hardin,	Elijah C. Phister,
P. W. Barron,	A. J. Hendrickson,	Douglass L. Price,
Alpheus W. Bascom,	J. L. Hibbs,	G. W. Quick,
J. F. Baugh,	J. R. Hindman,	William S. Richart,
Robert C. Beauchamp,	Elijah Hogan,	George W. Riddle,
Samuel W. Brents,	Jeff. Holeman,	G. W. Silvertooth,
Howell Brewer,	R. E. Humphrey,	Robert Simmons,
E. Burr,	Elijah Hurst,	Henry H. Skiles,
Landon Carter,	George M. Jessee,	Richard M. Spalding,
A. T. Coffman,	Alfred M. Jones,	George W. Terrell,

I. B. Combs,	James Kilgore,	P. M. Thurmond,
R. L. Cooper,	Francis M. Lowe,	J. L. Waring,
Asbury Dawson,	William J. McElroy,	A. D. Weller,
J. C. DeMoss,	T. H. Moss,	John F. Wight,
D. E. Downing,	Edward Myall,	L. Wilson,
H. G. Duerson,	E. A. Pearson,	John Wolf,
W. W. Frazer,	W. H. Pettus,	Hugh H. York—52.
William M. Hamlin,		

Ordered, That said bill be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Amendments were offered thereto by Messrs. Davidson and Glass, but subsequently withdrawn by them.

Ordered, That said bill be engrossed and read a third time.

Said bill being engrossed, was read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That section 24, article 1, chapter 3, title 2, of the Civil Code of Practice, be amended as follows: Strike out the words "one hundred dollars," and insert "two hundred dollars."

§ 2. That section 29, chapter 5, title 2, of the Civil Code of Practice, be amended as follows: Strike out the words "fifty dollars," and insert "one hundred dollars."

§ 3. That section 827, article 1, chapter 4, title 16, of Civil Code of Practice, be amended as follows: Strike out the words "fifty dollars," and insert "one hundred dollars."

§ 4. That this act shall take effect from and after its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Thurmond and Wight, were as follows, viz:

Those who voted in the affirmative, were—

William Adair,	D. Hambleton,	E. A. Pearson,
P. W. Barron,	Ben. Hardin,	W. H. Pettus,
J. F. Baugh,	A. J. Hendrickson,	Douglass L. Price,
Rob't C. Beauchamp,	J. L. Hibbs,	G. W. Quick,
Howell Brewer,	Jas. R. Hindman,	William S. Richart,
E. Burr,	Elijah Hogan,	George W. Riddle,
Landon Carter,	Jeff. Holeman,	G. W. Silvertooth,
A. T. Coffman,	R. E. Humphrey,	George W. Terrell,
I. B. Combs,	Elijah Hurst,	P. M. Thurmond,
Asbury Dawson,	George M. Jessee,	J. L. Waring,
J. C. DeMoss,	John W. Kendall,	A. D. Weller,
D. E. Downing,	G. W. Little,	John F. Wight,
H. G. Duerson,	Wm. J. McElroy,	L. Wilson,
M. W. Ferguson,	T. E. Moss,	Hugh H. York—44.
W. W. Frazer,	Edward Myall,	

Those who voted in the negative, were—

Silas Adams,	Thomas T. Cogar,	Alfred M. Jones,
George W. Anderson,	R. L. Cooper,	James Kilgore,
J. M. Atherton,	Joseph M. Davidson,	James B. McCreary,
Wm. F. Barret,	F. R. Davis,	George R. McKee,
Alpheus W. Bascom,	James P. Ford,	Thomas H. Moss,
John W. Blue,	John N. Furber,	Elijah C. Phister,
D. M. Bowen,	R. T. Glass,	Robert Simmons,
Samuel W. Brents,	L. D. Good,	Henry H. Skiles,
James E. Cantrill,	Ashton P. Harcourt,	R. K. Smith,
J. S. Chrisman,	Thomas H. Hays,	R. M. Spalding,
James R. Claybrook,	Wm. Irwin, sr.,	John Wolf—33.

Resolved, That the title of said bill be so changed as to read: "An act to amend sections 24, 29, and 827, of the Civil Code of Practice, regulating the jurisdiction and pleadings of quarterly courts and justices of the peace."

Mr. Ferguson then moved to reconsider the vote by which said bill was passed.

The House then took up for consideration a bill, entitled

A bill to amend section 18, article 1, chapter 2, title 2, of Civil Code of Practice.

Which was read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

On motion of Mr. Furber, said bill was recommitted to the Committee on Codes of Practice.

Mr. Frazer moved to reconsider the vote by which the House, on yesterday, adopted a resolution to appoint visitors to the Western Lunatic Asylum.

And the question being taken thereon, it was decided in the affirmative.

And so said vote was reconsidered.

Thereupon, on leave had, Mr. Frazer withdrew said resolution.

A message was received from the Governor by Mr. Samuels, Assistant Secretary of State, which was taken up and read as follows, viz:

STATE OF KENTUCKY, EXECUTIVE DEPARTMENT,
FRANKFORT, February 10, 1871.

Gentlemen of the Senate and House of Representatives:

I herewith transmit a communication from his Excellency, Rufus B. Bullock, Governor of Georgia, informing me that he has accredited

as Commissioners from the State of Georgia to this Commonwealth, Hon. B. H. Bigham, Hon. Arthur Hood, and the Hon. J. R. Parrott, who are charged with the mission of presenting to the General Assembly of this Commonwealth, on behalf of the Executive and people of Georgia, the interest felt by the latter State for the rapid construction of railroad communications looking to the closer connection of Georgia with Kentucky, and the consequent increase of the commercial and manufacturing interests of both States.

Two of these Commissioners—Judge Bigham and Colonel Hood—reached Frankfort on yesterday.

I am quite sure it is unnecessary for me to ask for them that cordial reception which, as representatives from the State of Georgia, they are entitled to receive from the General Assembly of Kentucky in unfolding the object of their mission, or for the bestowal of the civilities and hospitality which it always delights Kentucky to bestow on the distinguished visitors of our sister States.

J. W. STEVENSON.

Executive Department, State of Georgia,
Atlanta, February 6, 1871.

To His Excellency, J. W. Stevenson, *Governor of Kentucky:*

Governor: I have the honor to present to your Excellency, and do hereby accredit, the Hon. B. H. Bigham, of the county of Troup; Hon. Arthur Hood, of the county of Randolph; and Hon. J. R. Parrott, of the county of Bartow, as Commissioners, for and in behalf of the State of Georgia, to present to your Excellency, and to the General Assembly of the Commonwealth of Kentucky, the desire which the people and the Executive Department of this State now feel for the rapid construction of railroad communications connecting this State directly with the interior of your State, to the end that we may the more readily exchange our productions, and those of the States south of us, for the rich and valuable commodities, stock, provisions, etc., with which the State of Kentucky is so abundantly supplied, and at the same time to insure more speedy and direct communication with the commercial and manufacturing centers of the States further north.

I have the honor to ask for these Commissioners such opportunities

to communicate with your Excellency, and with your General Assembly, as may be agreeable and convenient.

I am, Governor, very respectfully,

RUFUS B. BULLOCK,

Governor of Georgia.

Ordered, That said message be referred to a select committee, consisting of Messrs. McKee, Jessee, Phister, Barret, Hardin, Pettus, and Skiles.

Mr. Price presented the remonstrance of citizens of Kentucky, and of stockholders in the Covington and Lexington Railroad Company, against the passage of any act of incorporation to the present owners of said road which shall contain privileges mentioned therein.

Which was read, and referred to the Committee on Railroads.

A message was received from the Governor by Mr. Samuels, Assistant Secretary of State, which was taken up and read as follows, viz:

STATE OF KENTUCKY, EXECUTIVE DEPARTMENT,
FRANKFORT, February 10, 1871.

Gentlemen of the Senate and House of Representatives:

Since my message this morning, transmitting the credentials of the Georgia Commissioners to the General Assembly of Kentucky, and announcing their arrival in Frankfort, I have received a communication in writing from these gentlemen, which I lose no time in laying before you. I cordially invite your consideration to the suggestions contained in this paper for such action as your wise deliberation may suggest as proper and appropriate upon a subject so vitally important to the social and material interests of the people of Georgia and Kentucky alike.

J. W. STEVENSON.

FRANKFORT, KENTUCKY, February 10, 1871.

To His Excellency, JOHN W. STEVENSON, *Governor of Kentucky:*

It is apparent to every reflecting observer that the agricultural wealth of the American nation lies in the country comprising the States of the lakes, and in Kentucky and Missouri and the other States and Territories contiguous to the Mississippi and her tributaries. This great fact was foreseen very early in our history, and

so important was it considered to secure sure and reliable transit for its commerce to the markets of the world, that, near the close of the last century, Mr. Bingham, then Senator from Pennsylvania, and Mr. Madison, from Virginia, negotiated, on the part of the United States, with the Spanish Minister, to secure the free navigation of the Mississippi. To effectually insure that great benefit, the government ultimately purchased of the French, who meanwhile became its owners, the Territories of New Orleans and Louisiana. From that time to the present States and individuals have engaged in efforts to secure the commerce of this rich land. The Erie Canal was conceived by DeWitt Clinton for the purpose of carrying it to New York, and the cities of the North and East have successively inaugurated the "New York Central Railroad," the "Erie," the "Pennsylvania Central Railroad," and the "Baltimore and Ohio Railroad," and they are now engaged on the Chesapeake and Ohio, and other outlets of lesser magnitude.

The South is the natural ally of this great country, and over her territory lies the natural way of the great Northwest to the Gulf of Mexico and to the ocean. But the South has been comparatively inactive. Georgia, it is true, inaugurated a system of railroads in 1834, based upon Charleston and Savannah as its Atlantic *termini*, and meeting Tennessee and Kentucky at Chattanooga. The joint action of the people of these States have perfected that system into a magnificent line, having for its northern *termini* Memphis, St. Louis, and Louisville.

But all the channels of commerce above referred to have been for several years demonstrated by the logic of events to be totally inadequate to meet the ever-recurring and ever-increasing demand made by this land of Egyptian plenty for trade with the world. Other northern and eastern routes have been planned, and a project is even seriously entertained of appropriating the St. Lawrence, with the assistance of canals, to this work.

Shall we of the South longer remain supine? Shall we not rather recognize the great fact that the South and the Northwest are entering upon a new era destined to be marked by more intimate business relations and greater prosperity than has ever yet existed between them? The relative location of these two great sections to each other admonishes us that the natural outlet of the whole country lying west of the Alleghanies and east of the Rocky Mountains to the gulf and

to the sea is by ways running across latitudes. The great existing eastern routes are contrary to nature; and more than that, they are contrary to our interest. Indeed, it may be demonstrated that it is for the best interest of the people of this whole continent that good north and south ways for commerce and travel be opened up and established. Lesseps has cut through Suez for Europe; Manchester now has her short route to Hindostan; and already it is quite plain that the idea has been conceived of concentrating eastern commerce and keeping it the handmaid of the wants and mutual interchanges of the people inhabiting the Eastern Hemisphere. Why, then, shall we not, through the instrumentality of a great North and South Central American route, the more resolutely make our trade with the West Indies and South America a specialty, and thus likewise render our commerce hemispherical?

Local prejudices in States, communities, and individuals may postpone the accomplishment of so great an enterprise (such have already somewhat interfered in Georgia); but this one is registered in the book of fate for the South and the Northwest, and no power on earth can adjourn it over to utter failure.

Georgia has again taken the path of action. She has granted charters for roads that, when completed, will constitute what we may term "Georgia's New System of Railroads." We propose by this again to meet Tennessee and Kentucky at our northern line—at Chattanooga and such other place or places as may be required of us by the provisions of such charters as the General Assemblies of our sister States may enact. Still keeping Savannah and Charleston in view as *termini*, we have added Brunswick on the Atlantic, and have also selected a most eligible gulf port in Florida. This new system we are rapidly pushing to completion. Chattanooga is our favorite northern *terminus;* because we are feeling directly for connection with Central Kentucky and the manufacturing and commercial centres beyond. To our success the co-operation of Kentucky is absolutely necessary. Therefore, we have come under commission of our Governor to express the desire of Georgia, in a plain but respectful manner—not as intermeddlers on the one hand, nor as supplicants on the other—but in a fraternal spirit, to tell you our people cherish for you kindest sentiments of respectful regard; and that we want you, without delay, to build a railway through your limits, giving us the opportunity of cultivating more intimate associations with Central Kentucky and the Northwest. Of the details of meas-

ures before you we would not presume to speak. But it would not be amiss for us to remind you that statistics do not show Kentucky to be leading in the number of miles of railway existing and undergoing construction within her limits to such an extent as her eligibility of location and vast resources would warrant her people and friends to expect; nor does it fully appear that facilities furnished by internal improvements are as equally distributed to the people of your State as might result from the application of salutary legislation.

These remarks we offer with the greatest delicacy, and only because they lie directly along the line of thought we pursue. We ask of you to give us a road through Central Kentucky with which to connect. Give it to us without delay. If your people are indisposed to invest the necessary capital themselves to build it, it seems to us the manifest dictate of common sense to take such capital as may legitimately offer from within the limits of any of the sister States, or from anywhere, and after fairly subordinating it to the laws of Kentucky utilize it for her benefit, and the benefit of her Southern sisters. Further than this we will not go. We do not appear here as the advocates of any particular enterprise. We come in the interest of Kentucky and of Georgia; for these two States are identical, not only in affection and fraternity of manhood and of civilization, but also in interest. We confide in your intelligence, and believe you are fully equal to the adoption of measures compatible with the honor of your Commonwealth, and contributing to her permanent prosperity. Georgia would not have you act otherwise. All Georgia asks is, that you act promptly; because by delay you injure yourselves and you injure us. If you differ with us in opinion, we have no words of reproach for you, but will continue to exercise our kind feelings of respectful regard. If, on the other hand, you contribute to the success of this great enterprise for your good and for ours, which we have so nearly at heart, we will cordially rejoice.

In conclusion, Governor, we return to you, and through you to the General Assembly of Kentucky, our cordial thanks for the distinguished hospitality which we have received from you and from the General Assembly, and from citizens of the State. In the event your public authorities should see fit to communicate to Georgia your views upon this subject, we will most cheerfully convey them; because we assure you that what Georgia desires is to learn the policy

of Kentucky, and to keep all her movements in cordial conformity to that policy.

With high regard we remain yours, very truly,

ARTHUR HOOD,
BENJ. H. BIGHAM,
Commissioners.

JOHN W. WILSON, *Secretary of Commission.*

Ordered, That said message, and the communication accompanying it, be printed for the use of this House.

The House took up the amendments proposed by the Senate to a bill, which originated in the House of Representatives, entitled

An act revising the charter of the city of Paducah.

Said amendments were concurred in.

The House then took up for further consideration bills, heretofore reported to the House, of the following titles, viz:

A bill to amend section 1, article 26, chapter 28, Revised Statutes, title "An act to prohibit the carrying of concealed deadly weapons."

A bill for the benefit of the Kentucky River Navigation Company and others.

Ordered, That the further consideration of said bills be postponed to, and made the special order of the day—the first for Friday next, 17th inst., at 11 o'clock, A. M., and the 2d for Thursday next, the 16th inst., at 10½ o'clock, A. M.

According to order, the House, at 11 o'clock, A. M., resolved itself into a Committee of the Whole on the state of the Commonwealth, the Speaker retiring from, and Mr. McCreary being called to, the Chair; when, after a time, the committee rose, the Speaker resumed the Chair, and Mr. McCreary, the chairman thereof, reported that the committee had had under consideration a bill, entitled

A bill to appropriate money to finish the fire-proof offices in the city of Frankfort, and for other purposes,

And the amendment offered thereto.

And having completed its consideration, had directed him to report said bill and amendment to the House, without the expression of opinion thereon.

And thereupon said bill and amendment were laid upon the Clerk's table.

And, on motion of Mr. Thurmond, said bill and amendment were postponed to, and made the special order of the day for, Wednesday next, at 10½ o'clock, A. M.

A message was received from the Governor by Mr. Samuels, Assistant Secretary of State, which was taken up and read as follows, viz:

EXECUTIVE OFFICE, 10th February, 1871.

Gentlemen of the Senate and House of Representatives:

I hereby resign the office of Governor of this Commonwealth, to take effect on Monday, 13th February, 1871, at 11 o'clock, A. M.

J. W. STEVENSON.

And thereupon Mr. McKee moved the following, viz:

WHEREAS, Hon. John W. Stevenson, Governor of this Commonwealth, has communicated to the General Assembly his resignation, to take effect upon the 13th inst.; therefore,

Resolved, That the faithful and impartial discharge of his duties entitles him to the thanks and approval of his fellow-citizens; and upon his retirement from the office of Governor we, the representatives of the people, hereby express to him the assurance that, in our opinion, he has administered the Government of the State with prudence, wisdom, and vigilance, for which we render the thanks and approbation of our common constituency.

Which was twice read and unanimously adopted.

The House then took up the amendments proposed by the Senate to a bill, which originated in the House of Representatives, entitled

An act to increase the salaries of the judges of the circuit courts, criminal courts, courts of common pleas, and of the chancellor of the Louisville chancery court.

Said amendments were concurred in, and the title of said bill changed so as to read,

An act regulating the salaries of the judges of the circuit courts, criminal courts, courts of common pleas, and of the chancellor of the Louisville chancery court, and to provide for the payment of *pro tempore* judges and chancellors of said courts.

The House, according to order, took up for consideration a bill heretofore reported, entitled

A bill to provide for the improvement of Tradewater river.

Which was read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Mr. Blue moved amendments to said bill.

On motion of Mr. Blue, said amendments were ordered to be printed, and the further consideration of said bill and amendments post-

poned to, and made the special order of the day for, Thursday, 16th inst., at 11 o'clock, A. M.

Mr. Silvertooth, from the Committee on Circuit Courts, who were directed to prepare and bring in the same, reported

A bill to regulate the times of holding circuit courts in the thirteenth judicial district.

Which was read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

On motion of Mr. Kendall, the further consideration of said bill was postponed until to-morrow, at 10½ o'clock, A. M.

Bills were reported by the several committees, who were directed to prepare and bring in the same, of the following titles, viz:

By Mr. Cogar, from the Committee on Internal Improvement—

A bill to amend an act repealing in part the act declaring the Rolling Fork of Salt River a navigable stream.

By same—

A bill to incorporate the Valley and West Point Bridge Company.

Which were read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

And then the House adjourned.

SATURDAY, FEBRUARY 11, 1871.

The following petitions were presented, viz:

By Mr. Baugh—

1. The petition of citizens of Rockcastle county, praying the passage of an act to change the boundary line between the counties of Laurel and Rockcastle.

By Mr. T. E. Moss—

2. The petition of members of the bar at Mayfield, Graves county, praying the repeal of an act establishing a court of common pleas in said county.

By Mr. Harcourt—

3. The petition of citizens of Bullitt county, praying the passage of an act to allow them to take a vote on the question of allowing ardent spirits to be sold therein.

By Mr. Irwin—

4. The petition of manufacturers of builders' material, and mechanics engaged in the construction of buildings, praying the passage of a lien law for their benefit.

By Mr. Barron—

5. The petition of citizens of Clinton county, praying that an act may be passed authorizing the county court of Clinton county to levy a tax in aid of common school buildings.

By Mr. Little—

6. The petition of citizens of Boston, Whitley county, praying the passage of an act allowing a certain street in said town to be closed.

Which were received, the reading dispensed with, and referred—the 1st and 6th to the Committee on Propositions and Grievances; the 2d and 3d to the Committee on Circuit Courts; the 4th to the Committee on the Judiciary; and the 5th to the Committee on Education.

Leave of absence, indefinitely, was granted Messrs. Hamlin, Parks, Hogan, Holeman, Richart, Bascom, Wrather, Phister, and Corbett.

Mr. Barron, from the Committee on Propositions and Grievances, who were directed to prepare and bring in the same, reported

A bill to amend an act, entitled "An act authorizing the legal voters of the county of Lee to locate the county seat of said county," approved January 28, 1871.

Which was read the first time.

Mr. McCreary then moved to postpone the further consideration of said bill until Friday, the 17th inst.

And the question being taken on the motion of Mr. McCreary, it was decided in the negative.

Mr. Harcourt moved to postpone its further consideration until Tuesday, the 14th inst.

And the question being taken thereon, it was decided in the negative.

Ordered, That said bill be read a second time on Monday next.

The House took up, according to order, and resumed the consideration of a bill, entitled

A bill to regulate the times of holding circuit courts in the thirteenth judicial district.

Mr. Kendall moved an amendment to said bill, which was adopted.

Ordered, That said bill, as amended, be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Silvertooth moved to suspend the rule to enable him to report a bill from a select committee.

And the question being taken thereon, it was decided in the negative, the requisite number not having voted therefor.

The yeas and nays being required thereon by Messrs. Barret and Weller, were as follows, viz:

Those who voted in the affirmative, were—

William Adair,	F. R. Davis,	Edward Myall,
Silas Adams,	Asbury Dawson,	E. A. Pearson,
J. F. Baugh,	James P. Ford,	Elijah C. Phister,
D. M. Bowen,	W. W. Frazer,	G. W. Silvertooth,
Samuel W. Brents,	Clinton Griffith,	Robert Simmons,
E. Burr,	Ashton P. Harcourt,	Henry H. Skiles,
James E. Cantrill,	Elijah Hogan,	R. K. Smith,
Landon Carter,	Elijah Hurst,	Richard M. Spalding,
J. S. Chrisman,	Alfred M. Jones,	George W. Terrell,
Thomas T. Cogar,	John W. Kendall,	P. M. Thurmond,
I. B. Combs,	Francis M. Lowe,	John F. Wight,
R. L. Cooper,	G. W. Little,	L. Wilson—38.
Joseph M. Davidson,	James B. McCreary,	

Those who voted in the negative, were—

Mr. Speaker (Bunch),	D. Hambleton,	George R. McKee,
George W. Anderson,	Thomas H. Hays,	Thomas H. Moss,
Wm. F. Barret,	A. J. Hendrickson,	W. H. Pettus,
P. W. Barron,	J. L. Hibbs,	G. W. Quick,
Howell Brewer,	J. R. Hindman,	George W. Riddle,
A. T. Coffman,	R. E. Humphrey,	J. L. Waring,
D. E. Downing,	William Irwin, sr.,	A. D. Weller,
L. D. Good,	James Kilgore,	John Wolf—24.

Mr. McKee laid on the table the following joint resolution, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That a committee of three from the Senate and five from the House of Representatives be appointed to wait upon Preston H. Leslie, Speaker of the Senate, and acting Lieutenant Governor, and conduct him to the Hall of the House of Representatives, on Monday, 13th instant, at 11.15 o'clock, A. M., for the purpose of having administered to him the oath of office as Governor of this Commonwealth, in the presence of the two Houses of the General Assembly.

The rule requiring joint resolutions to lie one day on the table being dispensed with, said resolution was taken up, twice read, and unanimously adopted.

Said resolution having been sent to the Senate, a message was received therefrom announcing their concurrence therein.

And thereupon the Speaker appointed the following members as the Committee thereunder, viz: Messrs. McKee, Barret, Chrisman, Blue, and Waring, on the part of this House.

On motion of Mr. Adair,

Ordered, That a message be sent to the Senate, asking to withdraw therefrom the announcement of the passage by the House of a bill from the Senate, entitled

An act to incorporate the Caverna Deposit Bank.

Ordered, That Mr. Adair do bear said message to the Senate, who, after a time, reported that he had discharged that duty, and laid said bill on the Clerk's table.

And thereupon Mr. Adair moved to suspend the rule requiring a motion to reconsider a vote to be made within three days after being taken.

The question being taken thereon, it was decided in the affirmative,

And said rule was suspended.

And then Mr. Adair moved to reconsider the votes by which the House passed said bill, and by which it was ordered to be read a third time.

The question being taken on the motion of Mr. Adair, it was decided in the affirmative.

And so said votes were reconsidered.

Mr. Adair then moved an amendment to said bill, which was adopted.

Ordered, That said bill, as amended, be read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

A message was received from the Governor by Mr. Samuels, Assistant Secretary of State, announcing that he had approved and signed enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to amend an act, entitled "An act to incorporate the town of New Haven, in Nelson county."

An act to incorporate the Lexington Water-works Company.

An act providing a commissioner of county claims for Hart county.

An act to authorize the court of claims of Johnson county to levy and collect an ad valorem and poll-tax for county purposes.

An act for the benefit of the Bullitt county court, authorizing them to levy a tax to erect public buildings.

An act for the benefit of the police judge of the town of Hawesville.

An act to increase the levy of Logan county.

An act to authorize the county court of Hardin county to levy a tax to erect public buildings in said county.

An act for the benefit of William P. Carden, of Hart county.

An act to incorporate the Elkton Railroad Company.

A message was received from the Senate, announcing that they had passed bills, which originated in the House of Representatives, of the following titles, viz:

An act to amend an act, entitled "An act to incorporate the St. Bernard Coal Company."

An act to amend an act, entitled "An act to authorize the Lewis county court to levy a tax to create a bridge fund for said county."

An act to authorize the Hancock county court to increase the county levy for the year 1871.

An act to change the time of holding the November term of the Owen county court.

An act authorizing the county court of Livingston county to levy an additional tax.

An act for the benefit of McCracken county, and to enable her to pay her indebtedness.

An act to change the time of holding the quarterly courts in Floyd county.

And that they had passed bills of the following titles, viz :

1. An act changing the time of holding the Warren court of common pleas.

2. An act for the benefit of the Commercial Bank of Kentucky and Farmers' Bank of Kentucky.

3. An act to incorporate the town of Glasgow Junction and Mammoth Cave.

Which were read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That they be referred—the 1st to the Committee on Circuit Courts; the 2d to the Committee on Banks; and the 3d to the Committee on Corporate Institutions.

On motion of Mr. Coffman,

Ordered, That a message be sent to the Senate, asking to withdraw therefrom the announcement of the passage by the House of a bill, which originated therein, entitled

An act to repeal an act, entitled "An act to authorize the county judge of Ohio county to sign certain orders, and to legalize the same," approved January 26, 1871.

Mr. Coffman was directed to bear said message.

A message was received from the Senate, announcing that they had received official information that the Governor had approved and signed enrolled bills, which originated in the Senate, of the following titles, viz:

An act for the benefit of the county court of Union county.

An act to change the time of holding quarterly courts in Harrison county.

An act to change the time of holding the spring term of the Hopkins circuit court.

An act to authorize the trustees of the town of Leitchfield to discontinue and sell and convey a part of Main cross street in said town.

An act prohibiting the vending of ardent, malt, or vinous spirits, in Magoffin county.

An act for the benefit of C. M. Hanks, of Wolfe county.

And that they had passed a bill, entitled

An act to amend an act, entitled "An act to incorporate the Crescent City Sleeping Car Company," approved March 16, 1870.

The rule requiring the reference of said bill being dispensed with, said bill was taken up, read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Quick, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act regulating the salaries of the judges of the circuit courts, criminal courts, courts of common pleas, and of the chancellor of the Louisville chancery court, and to provide for the payment of *pro tempore* judges and chancellors of said courts.

An act revising the charter of the city of Paducah.

And had found the same truly enrolled.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Quick inform the Senate thereof.

On motion of Mr. Phister, the Committee on the Judiciary were discharged from the further consideration of a bill, entitled

A bill to incorporate the Industrial Association of Union county.

Mr. Phister, from the Committee on the Judiciary, to whom was referred a bill from the Senate, entitled

An act to compensate clerks of courts for certain services,

Reported the same without amendment, and with the expression of opinion that said bill ought not to pass.

The question was then taken on ordering said bill to be read a third time, the opinion of the committee to the contrary notwithstanding, and it was decided in the negative.

And so said bill was disagreed to.

Mr. Brents then moved to reconsider the vote by which the House refused to order said bill to be read a third time.

The motion of Mr. Brents was placed in the orders of the day.

Leave was given to bring in the following bills, viz :

On motion of Mr. Hindman—

1. A bill to repeal the act establishing the county of Lee.

On motion of Mr. Ford—

2. A bill for the benefit of Woodford county.

On motion of Mr. Thurmond—

3. A bill to amend section 4, article 18, chapter 36, Revised Statutes, title "Duties and Liabilities of Certain Officers."

On motion of same—

4. A bill to incorporate the Mexhiboseth Lodge, No. 184, I. O. O. F., at Princeton.

On motion of Mr. DeMoss—

5. A bill to amend the charter of the town of Belleview, in Campbell county.

On motion of same—

6. A bill to authorize the city of Dayton, in Campbell county, to establish an independent common school system.

On motion of same—

7. A bill to define and extend the corporate limits of the city of Dayton, in Campbell county.

On motion of same—

8. A bill to increase the jurisdiction of the mayor of the city of Dayton, in Campbell county.

On motion of Mr. Griffith—

9. A bill for the benefit of school district No. 43, in Daviess county.

On motion of same—

10. A bill for the benefit of C. V. Pierce, of Daviess county.

On motion of Mr. Davis—

11. A bill for the benefit of school district No. 37, in Fleming county.

On motion of Mr. Bowen—

12. A bill to incorporate the Little Benson and Hensley's Mill Turnpike Road Company, in Franklin county.

On motion of Mr. McKee—

13. A bill to call a Convention to alter or reform the Constitution of this State in pursuance of article 13, section 4, of said instrument.

On motion of Mr. Weller—

14. A bill to prohibit the sale of spirituous, vinous, or malt liquors at or near the Falls of Rough, in Grayson county.

On motion of Mr. Hurst—

15. A bill for the benefit of clerks of county courts in this Commonwealth.

On motion of Mr. Adair—

16. A bill to further extend the time of two years to the county of Hart to comply with an act, entitled "An act to require the county courts to have one or more fire-proof vaults in their respective counties erected for the safe-keeping of the public records of their respective counties."

On motion of Mr. Barret—

17. A bill incorporating the First Colored Baptist Church in Louisville.

On motion of same—

18. A bill amending the charter of the Cook Benevolent Institute of Louisville.

On motion of same—

19. A bill to create a mechanics' lien law for the city of Louisville and county of Jefferson.

On motion of same—

20. A bill to protect the lives of passengers on railroad cars.

On motion of Mr. G. W. Anderson—

21. A bill to amend an act, entitled "An act to incorporate the Kentucky Mining, Lumber, and Manufacturing Company."

On motion of Mr. McCreary—

22. A bill to incorporate the Dreaming Creek Turnpike Road Company, in Madison county.

On motion of Mr. Hibbs—

23. A bill for the benefit of James M. Brooks, of Marshall county.

On motion of same—

24. A bill to amend the road law of Livingston county.

On motion of Mr. Spalding—

25. A bill to repeal the charter of the town of Loretto, in Marion county, approved February, 1866.

On motion of Mr. T: E. Moss—

26. A bill to charter a steam ferry at the mouth of the Ohio river.

On motion of same—

27. A bill to prohibit the judges of certain courts in this State from practicing law.

On motion of same—

28. A bill to amend the charter of the Chesshra Eshunun Burial Society, of Paducah.

On motion of same—

29. A bill for the benefit of Mrs. P. E. Sawner, of Paducah.

On motion of same—

30. A bill to incorporate the Cumberland Presbyterian Church, of Mayfield.

On motion of Mr. Humphrey—

31. A bill to amend the charter of the town of Livermore, in McLean county.

On motion of Mr. Kendall—

32. A bill to incorporate the town of Knowlesburg, in Morgan county.

On motion of Mr. Coffman—

33. A bill to change the time of holding the quarterly court of Ohio county.

On motion of same—

34. A bill to authorize R. S. Mosely to make a cross-index to the suits in the Ohio county quarterly court, &c.

On motion of same—

35. A bill to amend the school law in regard to Ohio county.

On motion of Mr. Duerson—

36. A bill to change the voting precincts of Pewee Valley and Floydsburg, in Oldham county.

On motion of same—

37. A bill to vote a tax in Oldham county for turnpike road purposes.

On motion of Mr. Pettus—

38. A bill for the benefit of Cyrus Clouch, of Pulaski county.

On motion of Mr. Wight—

39. A bill for the benefit of the Simpsonville and Antioch Turnpike Road Company.

On motion of Mr. Quick—

40. A bill to give to all tax commissioners additional time in which to return their books.

On motion of Mr. Riddle—

41. A bill to amend the charters of the towns of Caseyville, Morganfield, and Uniontown, so as to increase the civil jurisdiction of their police courts to one hundred dollars.

On motion of Mr. Claybrook—

42. A bill to amend the 2d section of an act, entitled "An act to charter the town of Springfield."

On motion of Mr. Lowe—

43. A bill to authorize the county courts of Pendleton and Grant counties to re-establish and re-mark the county line between said counties.

On motion of Mr. Terrell—

44. A bill for the benefit of S. B. Huey, of Boone county.

On motion of same—

45. A bill for the benefit of John E. Walton, of Boone county.

On motion of Mr. Waring—

46. A bill to amend the charter of the Northeastern Kentucky Agricultural and Mechanical Association.

On motion of Mr. Blue—

47. A bill to amend section 3, article 2, chapter 37, Revised Statutes.

Ordered, That the Committee on the Judiciary prepare and bring in the 1st, 18th, 19th, and 20th; the Committee on County Courts the 2d, 10th, 15th, 16th, 33d, 34th, 36th, 41st, and 43d; the Committee on Revised Statutes the 3d, 27th, 29th, 40th, and 47th; the Committee on Corporate Institutions the 4th, 17th, 21st, 26th, 32d, and 42d; the Committee on Ways and Means the 5th, 7th, and 8th; the Committee on Education the 6th, 9th, 11th, and 35th; the Committee on Internal Improvement the 12th, 22d, 25th, and 37th; the Committee on Religion the 14th, 30th, and 38th; the Committee on Privileges and Elections the 23d; the Committee on Propositions and Grievances the 24th, 31st, 39th, 44th, and 45th; the Committee on Charitable Institutions the 28th; the Committee on Agriculture and Manufactures the 46th; and a select committee, consisting of Messrs. McKee, Skiles, Chrisman, Adams, and Spalding, the 13th.

Mr. Smith, from the Committee on County Courts, who originated the same, reported

A bill to change the time of holding the monthly sessions of the Bracken county court.

Which was read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. McKee moved the following resolution, viz :

Resolved, That from and after Tuesday next, the 14th inst., this House will meet at 10 o'clock, A. M.; adjourn at 1, P. M.; meet again at 3, P. M., and adjourn at 5, P. M.; and that the evening sessions be devoted to the call—1st, of Standing Committees, and 2d, of Select Committees; and that the call of counties on Wednesday be omitted.

And the question being taken on the adoption thereof, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. McKee and Barret, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker (Bunch),	Asbury Dawson,	James B. McCreary,
William Adair,	D. E. Downing,	William J. McElroy,
Silas Adams,	H. G. Duerson,	George R. McKee,
George W. Anderson,	James P. Ford,	Thomas H. Moss,
J. M. Atherton,	W. W. Frazer,	Edward Myall,
Wm. F. Barret,	L. D. Good,	W. H. Pettus,
P. W. Barron,	Clinton Griffith,	Elijah C. Phister,
J. F. Baugh,	D. Hambleton,	W. V. Prather,
Robt. C. Beauchamp,	Ashton P. Harcourt,	George W. Riddle,
John W. Blue,	T. H. Hays,	George W. Silvertooth,
D. M. Bowen,	A. J. Hendrickson,	Robert Simmons,
Samuel W. Brents,	J. L. Hibbs,	Henry H. Skiles,
Howell Brewer,	James R. Hindman,	Richard M. Spalding,
E. Burr,	Elijah Hogan,	George W. Terrell,
Landon Carter,	Elijah Hurst,	P. M. Thurmond,
J. S. Chrisman,	William Irwin, sr.,	J. L. Waring,
James R. Claybrook,	George M. Jessee,	A. D. Weller,
A. T. Coffman,	Alfred M. Jones,	John F. Wight,
I. B. Combs,	John W. Kendall,	L. Wilson,
Joseph M. Davidson,	James Kilgore,	John Wolf,
F. R. Davis,	G. W. Little,	Hugh H. York—63.

Those who voted in the negative, were—

Thomas T. Cogar,	R. L. Cooper,	E. A. Pearson—3.

Mr. Atherton moved the following preamble and joint resolution, which lies one day on the table, viz:

WHEREAS, It appears that a bill authorizing the city of Cincinnati, through her trustees, under the provisions of the Ferguson act, to construct a line of railway across the State of Kentucky, in direct opposition to the will of the people of this State, as expressed by her General Assembly, has been introduced into the Senate of the United States; and whereas, the passage of this bill by the Congress of the United States would be an interference with the rights of this State to control its domestic affairs, and to grant acts and powers of incorporation to all companies or persons to exercise corporate privileges therein; and whereas, a failure on the part of this General Assembly to protest against Congressional interference in this question would be construed as a tacit indorsement of such interference, which establishes a precedent at once repugnant to the citizens of this Commonwealth—

Resolved by the General Assembly of the Commonwealth of Kentucky, That our Senators are instructed, and our Representatives are requested, to oppose the passage of said bill; and the Secretary of State is requested to transmit a copy of this preamble and resolution to each of our Senators and Representatives.

Mr. Spalding moved the following resolution, viz:

Resolved by the House of Representatives, That the Committee on Charitable Institutions of this House is requested to visit, in conjunction with a similar committee already appointed by the Senate, the Eastern and Western Lunatic Asylums, and report the number of applicants for admission into said Asylums now pending, and which cannot be received for want of sufficient accommodation and room. The committee is also requested to make a thorough examination of the Asylum buildings and premises, and report in full upon these matters at their earliest convenience, to this House, together with other matters of interest in connection with said Asylums.

Which was adopted.

Bills from the Senate were reported, without amendment, by the committees to whom they had been referred, of the following titles, viz:

By Mr. Phister, from the Committee on the Judiciary—

An act to amend the charter of the town of Danville.

By Mr. G. W. Anderson, from the Committee on Corporate Institutions—

An act to amend an act, entitled "An act to repeal the charter and reincorporate the town of Elizabethtown, in Hardin county," approved February 26, 1858.

Ordered, That said bills be read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Bills were reported by the several committees, who were directed to prepare and bring in the same, of the following titles, viz:

By Mr. Phister, from the Committee on the Judiciary—

A bill to amend the charter of the city of Newport.

By same—

A bill to amend the charter of the city of Newport.

By same—

A bill to amend the charter of the city of Cynthiana.

By same—

A bill for the benefit of Nazareth Literary and Benevolent Institute and the Catholic congregation of Frankfort.

By same—

A bill concerning the titles of John C. King, H. J. Lewis and brother, and E. H. Bland, to certain real estate formerly owned by Lizardi Brothers, in the city of Louisville, State of Kentucky.

By same—

A bill for the benefit of Emily Wall, of Harrison county.

By Mr. Cogar, from the Committee on Internal Improvement—

A bill prohibiting the Murphysville Turnpike Road Company from erecting or keeping a toll-gate within one mile of the town of Murphysville.

By Mr. G. W. Anderson, from the Committee on Corporate Institutions—

A bill authorizing the trustees of the town of Shepherdsville to take stock in the Paroquet Springs Company.

Which were read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Phister, from the Committee on the Judiciary, to whom was recommitted a bill, entitled

A bill to protect citizens of this Commonwealth, outside the limits of incorporated cities and towns, in the peaceful worship of God,

Reported the same with amendments thereto.

Said amendments were then concurred in.

Ordered, That said bill, as amended, be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be so amended as to read:

An act for the benefit of Dunaway Church, in Clark county, and the protection of religious worship therein.

Mr. Phister, from the Committee on the Judiciary, to whom was referred a bill from the Senate, entitled

An act for the benefit of the personal representatives of Robert Foster, deceased,

Reported the same with an amendment thereto.

Said amendment was adopted.

And on motion of Mr. Phister, said bill was placed in the orders of the day.

Bills from the Senate were reported, without amendment, by the committees to whom they had been referred, of the following titles, viz:

By Mr. Phister, from the Committee on the Judiciary—

1. An act to amend an act, entitled "An act for the benefit of John T. Jackson," approved March 9, 1867.

By Mr. Brents, from the Committee on Railroads—

2. An act to further protect the owners of stock living along the line of railways.

By Mr. McCreary, from the same committee—

3. An act to incorporate the Central Railroad Company.

Ordered, That the 1st be placed in the orders of the day; the 2d printed, and made the special order of the day for Thursday, 16th inst., at 11 o'clock, A. M.; and the 3d made the special order of the day for Friday, the 17th inst., at 11 o'clock, A. M.

Mr. Blue, from the Committee on Education, who were directed to prepare and bring in the same, reported

A bill to amend an act, entitled "An act to revise, amend, and reduce into one the laws relating to the common schools of Kentucky."

Which was read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be printed and placed in the orders of the day.

And then the House adjourned.

MONDAY, FEBRUARY 13, 1871.

The following petitions were presented, viz:

By Mr. McCreary—

1. The petition of citizens of Madison county, praying the passage of a more stringent law against trespassing and hunting upon farms.

By Mr. Griffith—

2. The petition of citizens of Yelvington, in Daviess county, praying the passage of an act granting coffee-house license to C. V. Pierce, in said town,

Which were received, the reading dispensed with, and referred—the 1st to the Committee on Revised Statutes, and the 2d to the Committee on County Courts.

The Speaker laid before the House the following report of the Commissioners to examine obstructions, &c., in Little Sandy river, viz:

To the General Assembly of the Commonwealth of Kentucky:

The undersigned, Commissioners appointed by resolution passed 21st March, 1870, to examine the obstructions to navigation in the Little Sandy river, and to ascertain the probable cost of removing the same, beg leave to submit the following:

In obedience to said resolution, we went upon said river at its mouth, in Greenup county, and carefully examined and noted all the obstructions which impede its successful navigation from its mouth to the mouth of the Little Fork, above Grayson, in Carter county, a distance of eighty miles. There is one mill-dam, known as the Pactolas Mills, which is a very serious obstruction to the navigation of said river. The other obstructions consist of leaning timber or

trees, snags, rocks, and sunken timber. Generally, the river has an excellent channel, and but few shoals, and, save the obstructions enumerated, could be easily and safely navigated by coal-barges, flats, rafts, lumber, and small crafts, for many months of the year. The fall in said river is but slight—not to exceed one foot to the mile.

Few, who have not been in this section, and examined for themselves, can conceive the hidden wealth now dormant in this valley. Unfortunately, that portion of our great State known as the Mountains has heretofore received but little notice or recognition from the more favored section of our State. This would not exist, we are confident, if the people of other sections of the State knew more of this. It is richer in mineral resources than any other portion of the State, and but needs capital and enterprise to bring forth its hidden treasures. All along this stream is to be found cannel and bitu minous coal; and the bituminous coal is an iron-making coal in its crude state—no cokeing required. Immense quantities of timber—poplar, pine, oak, &c.—are found on the river and its tributaries. The timber is now valueless, and will continue so until the navigation of the river is improved. If the river was made navigable, the increase in timber alone on the river would approximate one million dollars, to say nothing of the general enhancement of other articles of shipment in this valley.

In our opinion, fifteen thousand dollars ($15,000), carefully and judiciously expended, will remove the obstructions to navigation in said river.

Respectfully, your Commissioners,

GEO. R. DIAMOND,
W. D. JONES,
W. C. MITCHELL,
Commissioners.

JANUARY 2, 1871.

Which was ordered to be printed, and referred to the Committee on Ways and Means.

A message was received from the Governor by Mr. Samuels, Assistant Secretary of State, which was taken up and read as follows, viz:

STATE OF KENTUCKY, EXECUTIVE DEPARTMENT,
FRANKFORT, February 13, 1871.

Gentlemen of the Senate and House of Representatives:

The last act of my administration is saddened by the unwelcome news, which it officially communicates to the General Assembly, that

another old and honored citizen of this Commonwealth has passed away! Judge Daniel Breck is no more!

He died at his residence in Richmond on the 4th inst., at a quarter past eight o'clock, full of years and full of honor. He died with the simplicity in which he had lived—his strong intellect to the last undimmed by the snows of more than four-score winters.

Judge Breck has, for the last half century, played too conspicuous a part in the history of Kentucky to require a word of commendation from me. His life, character, and public service are his highest eulogium!

Born in the State of Massachusetts, he came as a youthful adventurer to Kentucky fifty-seven years ago, and soon thereafter settled in the county of Madison, where he has ever since lived, and where he now sleeps.

He was the architect of his fortune and his fame! On coming to the bar, he soon acquired distinction, and practiced his profession with profit and success.

As a member of the General Assembly, as Judge of the Appellate Court, and as a Representative in the Congress of the United States, Daniel Breck guarded, with fearless and inflexible integrity, the honor and interest of Kentucky.

Judge Breck was eminently a practical man. He overvalued nothing that was common, and undervalued nothing that was useful. He was a man of strong will; fixed and determined in his convictions; warm in his affections; but consistent and unyielding in his political affinities. He was a zealous partisan, but a fearless, honest patriot; enjoying, to the highest degree, the confidence of his friends, and commanding, at all times, the respect of his opponents. His usefulness and success rested on the basis of a self-reliance, which all who knew him appreciated and admired.

Few men have been more useful, or enjoyed, to a larger degree, the confidence of the people among whom he lived than Judge Breck.

Born in the last century, he is another of our pure, patriotic, and able men so rapidly passing away, and of whom so few now remain to their country. It is a privilege to honor their memories!—to perpetuate their virtues, their wisdom, their patriotism, their public service, not as testimonials to the dead, but as examples to the living.

Very respectfully,

J. W. STEVENSON.

On motion of Mr. McCreary, said message was referred to a select committee of five members, appointed by the Speaker, viz: Messrs. McCreary, McKee, Barret, Chrisman, and Adams, with instructions to report thereon to-morrow, at 10½ o'clock, A. M.

A message was received from the Senate, announcing that they had concurred in the amendment proposed by the House to a bill, which originated in the Senate, entitled

An act for the benefit of school districts Nos. 8 and 9, in McLean county.

That they had passed bills, which originated in the House of Representatives, of the following titles, viz:

An act for the benefit of John P. Norvall, of Nicholas county.

An act to amend the charter of the town of Gratz, in Owen county.

An act to amend an act, entitled "An act to incorporate the Concord and Tollsboro Turnpike Road Company."

An act prohibiting the sale of spirituous liquors, &c , in Cumberland county.

An act to prohibit the sale of spirituous liquors, &c., in the town of Burksville, in Cumberland county.

An act to amend an act, entitled "An act to incorporate the Covington and Horse Branch Turnpike Road Company."

An act regulating the rate of freights and tolls on the Paris and North Middletown Turnpike Road.

An act to repeal an act, entitled "An act to amend the charter of the Bath and Montgomery County Associated Turnpike Road Company."

An act to amend the charter of the Covington and DeCourcey Creek Turnpike Road Company.

An act for the benefit of Enoch Creech, of Clay county.

An act to prohibit the sale or other disposition of spirituous, vinous, or malt liquors near Fox Creek Church, in Anderson county.

An act for the benefit of William Langdon, committee for Thomas Langdon, an idiot, in Pulaski county.

An act to incorporate the Lancaster, Fall Lick, and Mount Vernon Turnpike Road Company.

An act to incorporate the Mill Creek Turnpike Road Company, in Mason county.

An act to amend the charter of the Peak's Mill Turnpike Company.

An act for the benefit of the Pleasureville, Bethlehem, and Kentucky River Turnpike Company.

An act for the benefit of common schools in Kentucky.

An act to authorize the Garrard circuit court to direct a sale of the Lancaster and Crab Orchard Turnpike Road.

An act to incorporate the town of Providence, in Webster county.

An act to amend the charter of the town of Dixon, in Webster county.

An act to prohibit the sale of spirituous, vinous, or malt liquors in the county of Floyd.

An act for the benefit of the jailer of Cumberland county.

An act to authorize the city of Maysville to subscribe and pay for stock in the Maysville and Lexington Railroad Company, Northern Division.

An act to amend and reduce into one the several acts in relation to the town of Slaughterville, in Webster county.

An act to incorporate the town of Union, in the county of Boone.

An act to incorporate the Valley and West Point Bridge Company.

An act to amend the charter of the town of Ceralvo, in Ohio county.

With an amendment to the last named bill.

That they had adopted a resolution, entitled

Resolution in regard to incendiary acts in Fayette and Jessamine counties.

And that they had passed bills of the following titles, viz :

1. An act to amend subsection 1, of section 614, title 13, article 2, of the Civil Code of Practice.

2. An act for the benefit of the incorporated banks of Kentucky.

3. An act for the benefit of John C. Broadhead.

4. An act regulating appeals from the police courts of Bardstown.

5. An act to repeal the court of common pleas in the counties of Fulton, Hickman, Marshall, Ballard, and Graves, in the 1st judicial district.

6. An act to incorporate the Monterey and New Columbus Turnpike Road Company.

7. An act to incorporate Abbott's Landing and Big Twin Creek Turnpike Road Company.

8. An act to incorporate the Eminence and Sulphur Fork Turnpike Road Company.

9. An act to amend an act, entitled "An act to amend an act, entitled 'An act incorporating the town of Hustonville.'"

10. An act to provide for the advertisement of sheriffs and marshals' sales in the city of Louisville and Jefferson county, and to repeal all laws in conflict therewith.

11. An act for the benefit of the clerk of the Breathitt county court.

12. An act to repeal an act, entitled "An act to amend section 614, of the Civil Code of Practice, in regard to depositions," approved January 14, 1858.

13. An act to amend an act, entitled "An act to provide for the incorporation and regulation of fire, marine, health, accident, live stock, and all other, except life insurance companies," approved March 12, 1870.

14. An act to amend an act, entitled "An act to prohibit the sale of ardent spirits in Breathitt county," approved February 7, 1868.

15. An act to prohibit the sale of ardent spirits in Boyd county.

16. An act to amend chapter 1576, approved February 24, 1869, entitled "An act to incorporate the Cumberland and Ohio Railroad Company."

17. An act to amend the charter of the town of Franklin.

Which were read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That they be referred—the 1st and 12th to the Committee on Codes of Practice; the 2d to the Committee on Banks; the 3d to the Committee on Claims; the 4th and 10th to the Committee on the Judiciary; the 5th to the Committee on Circuit Courts; the 6th, 7th, and 8th to the Committee on Internal Improvement; the 9th and 17th to the Committee on Corporate Institutions; the 11th to the Committee on County Courts; the 13th to the Committee on Insurance; the 14th and 15th to the Committee on Religion; and the 16th to the Committee on Railroads.

Mr. Quick, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the Senate, of the following titles, viz:

An act for the benefit of school districts Nos. 8 and 9, in McLean county;

An act to amend an act, entitled "An act to incorporate the Crescent City Sleeping Car Company," approved March 10, 1870;

Also an enrolled resolution and bills, which originated in the House of Representatives, of the following titles, viz:

Resolution regarding installation of P. H. Leslie, as Governor of Kentucky;

An act to amend chapter 7 of the Revised Statutes, title "Boats and Navigation;"

An act to amend section 326 of the Civil Code of Practice;

An act for the benefit of John W. Robinson, of Hickman county;

An act to amend an act, entitled "An act to amend and reduce into one the several acts concerning the town of Hopkinsville," approved March 5, 1870;

An act to incorporate the town of Centre, in Metcalfe county;

An act to amend an act, entitled "An act to extend the limits of the town of Warsaw, and to amend, consolidate, and reduce into one all laws pertaining to said town," approved February 25, 1869;

An act to amend section 47, Criminal Code of Practice;

An act in relation to depositions heretofore taken, and oaths heretofore administered, by persons known as examiners;

An act for the benefit of the county attorney of Caldwell county;

An act to amend an act, entitled "An act to amend the charter of Bryantsville;"

An act amendatory of an act to amend an act, entitled "An act to incorporate the town of Hiseville, in Barren county;"

A bill providing for the appointment of a county treasurer for Lincoln county;

And had found the same truly enrolled.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Quick inform the Senate thereof.

The hour of 11 o'clock, A. M., having arrived, a message was received from the Senate, announcing that they were now ready, in pursuance to the joint resolution adopted on Saturday, 11th inst., to visit the hall of the House, to witness the administration of the oath of office to the Hon. Preston H. Leslie, as successor to Hon. John W. Stevenson, whose resignation of the office of Governor took effect at this hour; and thereupon the Senate of Kentucky, being in session, entered the hall of the House and were seated.

At fifteen minutes past 11 o'clock, A. M., escorted by the joint committee raised under the resolution aforesaid, the Hon. Preston H. Leslie entered the hall of the House, and, in the presence of the Senate and House of Representatives, being first introduced by ex-Governor Stevenson, and after having delivered a brief address, took the oath of office as Governor of the Commonwealth of Kentucky, as prescribed by the Constitution of the State; the same having been administered to him by the Hon. James O'Hara, Judge of the Twelfth Judicial District of Kentucky.

The Senate and Governor having retired,

On motion, the House adjourned.

TUESDAY, FEBRUARY 14, 1871.

The Speaker of the House being absent, Hon. James S. Chrisman, the member from the county of Wayne, was unanimously elected Speaker during the absence of the regular presiding officer.

The following remonstrance and petition were presented, viz:

By Mr. Duvall—

1. The remonstrance of citizens of Owenton and vicinity, against the passage of an act restricting the sale of ardent spirits within said town, or within one mile thereof.

By Mr. T. E. Moss—

2. The petition of the trustees of the University of Paducah, praying an amendment of the charter thereof.

Which were received, the reading dispensed with, and referred—the 1st to the Committee on Religion, and the 2d to the Committee on Education.

The Speaker laid before the House a communication from the Auditor of Public Accounts, which was taken up, and read as follows, viz:

OFFICE AUDITOR PUBLIC ACCOUNTS,
FRANKFORT, KY., Feb. 14, 1871.

HON. JNO. T. BUNCH, *Speaker House of Representatives:*

SIR: I herewith transmit you a copy of the settlement of the treasurer of the Western Lunatic Asylum with the State, for the year ending the 31st of December, 1870, which you will please lay before the General Assembly.

Very respectfully,

D. HOWARD SMITH, *Auditor.*

[*For Report—See Legislative Document No.* 13.]

On motion of Mr. Hindman,

Ordered, That said report be printed, and referred to the Committee on Charitable Institutions.

A message was received from the Governor by Mr. Samuels, Assistant Secretary of State, announcing that he had approved and signed an enrolled joint resolution, which originated in the House of Representatives, entitled

Resolution regarding installation of P. H. Leslie as Governor of Kentucky.

On motion of Mr. Atherton, the rule was suspended, and the House took up for consideration the joint resolution offered by him on the 11th inst., entitled

Resolution instructing our Senators and requesting our Representatizes in Congress to oppose the passage of the Cincinnati Southern Railway.

Mr. Atherton moved an amendment to said resolution.

Mr. Cantrill moved a substitute for said resolution and amendments, but subsequently withdrew the same.

Mr. Cantrill moved to refer said resolution and amendment to the Committee on Federal Relations.

And the question being taken on the motion of Mr. Cantrill, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Atherton and Barret, were as follows, viz:

Those who voted in the affirmative, were—

Silas Adams,	L. D. Good,	W. H. Pettus,
J. F. Baugh,	A. J. Hendrickson,	Douglass L. Price,
James E. Cantrill,	James R. Hindman,	Robert Simmons,
Landon Carter,	Elijah Hurst,	Henry H. Skiles,
J. S. Chrisman,	Alfred M. Jones,	R. K. Smith,
Joseph M. Davidson,	James Kilgore,	Geo. W. Terrell,
D. E. Downing,	Francis M. Lowe,	A. D. Weller,
John Duvall,	G. W. Little,	John F. Wight,
James P. Ford,	Thomas E. Moss,	John Wolf,
W. W. Frazer,	Edward Myall,	Hugh H. York—31.
John N. Furber,		

Those who voted in the negative, were—

William Adair,	I. B. Combs,	William Irwin, sr.,
George W. Anderson,	R. L. Cooper,	George M. Jessee,
J. M. Atherton,	Thomas H. Corbett,	William J. McElroy,
Wm. F. Barret,	F. R. Davis,	James A. McKenzie,
P. W. Barron,	Asbury Dawson,	Thomas H. Moss,
Robert C. Beauchamp,	H. G. Duerson,	Joshua B. Parks,
John W. Blue,	M. W. Ferguson,	W. V. Prather,
Samuel W. Brents,	Clinton Griffith,	G. W. Quick,
E. Burr,	D. Hambleton,	George W. Riddle,
William B. Caldwell,	Ashton P. Harcourt,	Geo. W. Silvertooth,
James R. Claybrook,	T. H. Hays,	Richard M. Spalding,
A. T. Coffman,	J. L. Hibbs,	P. M. Thurmond,
Thomas T. Cogar,	R. E. Humphrey,	J. L. Waring—39.

Mr. Hindman then moved to refer the same to the Committee on the Judiciary, with instructions to report thereon at 10½ o'clock, A. M., to-morrow.

The hour of 11 o'clock, A. M., having arrived, Mr. Atherton moved to postpone the consideration of the special order, fixed for this hour, until the disposition, by the House, of the pending resolution.

And the question being taken on said motion, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Cantrill and Smith, were as follows, viz:

Those who voted in the affirmative, were—

William Adair,	F. R. Davis,	Thomas H. Moss,
George W. Anderson,	Asbury Dawson,	Joshua B. Parks,
J. M. Atherton,	H. G. Duerson,	E. A. Pearson,
Wm. F. Barret,	M. W. Ferguson,	W. V. Prather,
D. M. Bowen,	W. W. Frazer,	G. W. Quick,
Samuel W. Brents,	Clinton Griffith,	George W. Riddle,
E. Burr,	D. Hambleton,	G. W. Silvertooth,
William B. Caldwell,	Ashton P. Harcourt,	Henry H. Skiles,
Landon Carter,	Thomas H. Hays,	R. K. Smith,
James R. Claybrook,	J. L. Hibbs,	Richard M. Spalding,
A. T. Coffman,	R. E. Humphrey,	P. M. Thurmond,
Thomas T. Cogar,	William Irwin, sr.,	J. L. Waring,
I. B. Combs,	William J. McElroy,	A. D. Weller,
R. L. Cooper,	James A. McKenzie,	John F. Wight,
Thomas H. Corbett,	Thomas E. Moss,	Hugh H. York—45.

Those who voted in the negative, were—

Silas Adams,	John Duvall,	Francis M. Lowe,
J. F. Baugh,	James P. Ford,	G. W. Little,
Robert C. Beauchamp,	John N. Furber,	James B. McCreary,
John W. Blue,	L. D. Good,	Edward Myall,
Jesse D. Bright,	A. J. Hendrickson,	W. H. Pettus,
James E. Cantrill,	J R. Hindman,	Douglass L. Price,
J. S. Chrisman,	Elijah Hurst,	Robert Simmons,
Joseph M. Davidson,	Alfred M. Jones,	George W. Terrell,
D. E. Downing,	James Kilgore,	John Wolf—27.

And so the House proceeded with the consideration of said resolution and amendment.

Mr. Hindman then withdrew his motion.

Mr. Harcourt then moved a substitute for the said resolution and amendment.

On motion of Mr. Cantrill, the said resolution, amendment thereto, and substitute offered therefor, were referred to a select committee, consisting of Messrs. Atherton, McKenzie, Barret, Blue, and Cantrill, with instructions to report thereon at 11 o'clock, A. M., to-morrow.

Mr. Quick, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the Senate, of the following titles, viz:

An act to amend the charter of the town of Danville;

An act to amend an act, entitled "An act to repeal the charter and reincorporate the town of Elizabethtown, in Hardin county," approved February 26, 1858;

And also enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act for the benefit of John P. Norvall, of Nicholas county;

An act to amend an act, entitled "An act to incorporate the Concord and Tollsboro Turnpike Road Company;"

An act prohibiting the sale of spirituous liquors, &c., in Cumberland county;

An act to prohibit the sale of spirituous liquors, &c., in the town of Burksville, in Cumberland county;

An act to repeal an act, entitled "An act to amend the charter of the Bath and Montgomery County Associated Turnpike Road Company;"

An act to amend the charter of the Covington and DeCourcey Creek Turnpike Road Company;

An act for the benefit of Enoch Creech, of Clay county;

An act to amend an act, entitled "An act to reduce the price of vacant lands in this Commonwealth," approved March 9th, 1854;

An act to prohibit the sale or other disposition of spirituous, vinous, or malt liquors near Fox Creek Church, in Anderson county;

An act for the benefit of William Langdon, committee for Thomas Langdon, an idiot, in Pulaski county;

An act to enable the Louisville Pilots' Benevolent and Relief Association to wind up and discontinue its affairs;

An act for the benefit of the Pleasureville, Bethlehem, and Kentucky River Turnpike Company;

An act for the benefit of common schools in Kentucky;

An act to amend an act, entitled "An act to incorporate the St. Bernard Coal Company;"

An act to amend an act, entitled "An act to authorize the Lewis county court to levy a tax to create a bridge fund for said county;"

An act to amend the charter of the town of Dixon, in Webster county;

An act to amend the charter of the Louisville and Salt River Turnpike Road Company;

An act to authorize the Hancock county court to increase the county levy for the year 1871;

An act to change the time of holding the November term of the Owen county court;

An act for the benefit of the jailer of Cumberland county;

An act authorizing the county court of Livingston county to levy an additional tax;

An act to change the time of holding the quarterly courts in Floyd county;

And had found the same truly enrolled.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Quick inform the Senate thereof.

The House then, according to order, took up for further consideration a bill, entitled

A bill to amend chapter 107, Revised Statutes.

Mr. McKenzie moved to postpone the further consideration of said bill until the 15th day of Match next.

And the question being taken on the motion of Mr. McKenzie, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. McKenzie and Combs, were as follows, viz:

Those who voted in the affirmative, were—

J. M. Atherton,	M. W. Ferguson,	Edward Myall,
P. W. Barron,	James P. Ford,	Joshua B. Parks,
D. M. Bowen,	W. W. Frazer,	W. V. Prather,
E. Burr,	Clinton Griffith,	G. W. Quick,
Wm. B. Caldwell,	D. Hambleton,	George W. Riddle,
James E. Cantrill,	Ashton P. Harcourt,	George W. Silvertooth,
Landon Carter,	J. L. Hibbs,	Robert Simmons,
A. T. Coffman,	R. E. Humphrey,	Henry H. Skiles,
Thomas T. Cogar,	George M. Jessee,	R. K. Smith,
I. B. Combs,	James Kilgore,	Richard M. Spalding,
R. L. Cooper,	James B. McCreary,	George W. Terrell,
Thomas H. Corbett,	William J. McElroy,	P. M. Thurmond,
Joseph M. Davidson,	James A. McKenzie,	J. L. Waring,
F. R. Davis,	Thomas E. Moss,	L. Wilson,
H. G. Duerson,	Thomas H. Moss,	Hugh H. York—46.
John Duvall,		

Those who voted in the negative, were—

William Adair,	John N. Furber,	Francis M. Lowe,
Wm. F. Barret,	L. D. Good,	G. W. Little,

J. F. Baugh,	T. H. Hays,	E. A. Pearson,
Robt. C. Beauchamp,	A. J. Hendrickson,	W. H. Pettus,
John W. Blue,	James R. Hindman,	Douglass L. Price,
J. S. Chrisman,	Elijah Hurst,	A. D. Weller,
James R. Claybrook,	William Irwin, sr.,	John F. Wight,
Asbury Dawson,	Alfred M. Jones,	John Wolf—25.
D. E. Downing,		

And so said bill was postponed till the 15th day of March next.

Said bill reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, No person shall be disqualified as a witness, in any civil action or special proceeding, by reason of his interest in the event of the same as a party or otherwise; but such interest may be shown for the purpose of affecting his credibility.

§ 2. Nothing in the preceding section contained shall, in any manner, affect the laws now existing relating to the settlement of estates of deceased persons, infants, idiots, or lunatics, or the attestation of the execution of wills, or of conveyances of real estate, or of any other instrument required by the law to be attested.

§ 3. Neither husband nor wife shall be competent for or against each other, or concerning any communication made by one to the other, during marriage, whether called while that relation subsisted or afterwards: *Provided*, *however*, That in actions where the wife, were she a *feme sole*, would be plaintiff or defendant, the wife may testify, or her husband may testify, but both shall not be permitted to testify.

§ 4. No party shall be allowed to testify, by virtue of section 1, in any action or special proceeding where the adverse party is deaf and dumb, or is the guardian or trustee of a child or children of a deceased person, or is the committee of an idiot or lunatic, or is the executor or administrator of a deceased person, or is the party claiming as heir or devisee of a deceased person, except in the following cases, viz:

1st. In actions or special proceedings with the executor, administrator, guardian, or trustees of infants, heir or devisee, as above specified, a party may testify to facts which occurred after the death of the decedent or parent.

2d. In actions or special proceedings upon contracts made by deceased persons through agents, and in which the agent shall testify, a party may testify to all that transpired between him and the agent in relation to such contract and the making thereof, and in relation to any conversations or transactions between himself and such agent testified to by the agent.

3d. In actions or special proceedings of either of the classes above specified, in which any adverse party, or any other person having a direct interest in the matter in controversy, shall be called as a witness, and testify to transactions or conversations with a party to such action, such party shall also be permitted to testify as to such specific transactions and conversations.

4th. In actions or special proceedings of either of the classes above specified, in which one party calls a witness (other than an agent or person interested) to prove conversations or admissions of the opposite party, occurring before the death of said deceased person, but in his absence the opposite party may testify as to the same conversations or admissions.

5th. In actions or special proceedings of either of the classes above specified, in which the claim or defense is founded on book account, a party may testify as to the correctness of the original entries, if made by himself, or that they were made by a deceased person, or by a disinterested person non-resident of the State at the time of trial; and on such authentication of the account-book and entries, said book and entries shall be admissible as evidence in the case.

6th. If the deposition of a party who has died during the pendency of the suit shall be given in evidence on the trial of such cause, the opposite party may testify as to all matters contained in said deposition and not excluded by irrelevancy or inadmissibility. In all actions or special proceedings by or against a surviving partner or partners, or a surviving joint contractor or contractors, no adverse party to the suit shall be a competent witness to testify to transactions or declarations or admissions made by the deceased in the absence of his surviving partner or joint contractor.

§ 5. If a person offer himself as a witness, that shall be deemed a consent to the examination of his attorney on the same subject, within the meaning of subdivision 5, section 670, of the Civil Code.

§ 6. No person who would, if a party, be incompetent to testify under the provisions of section 4 of this act, shall become competent by reason of the assignment of his claim.

§ 7. No one shall be incompetent as a witness because of his or her race or color.

§ 8. The defendant, in any criminal or penal proceeding, may offer himself as a witness in his own behalf; but his failure so to do shall not be held as any evidence of guilt, nor used as a fact, to be considered by the court or jury in rendering a judgment or making up a verdict.

§ 9. This act shall be in effect from its passage; but sections 1 to 6, inclusive, shall not apply to actions or special proceedings instituted before its passage.

Leave was given to bring in the following bills, viz:

On motion of Mr. McKenzie—

1. A bill to amend an act, entitled "An act to amend the penal laws of Kentucky," approved March 9, 1867.

On motion of Mr. T. E. Moss—

2. A bill to amend the charter of the Paducah and Lovelaceville Gravel Road.

On motion of same—

3. A bill empowering the McCracken county court to subscribe to the capital stock of the Paducah, Benton, and Murray Gravel Road Company.

On motion of same—

4. A bill to incorporate the Franklin Association.

On motion of Mr. Harcourt—

5. A bill to incorporate the Shepherdsville and Belmont Turnpike Road Company.

On motion of Mr. McCreary—

6. A bill to authorize the trustees of Silver Creek Academy to sell the academy property and reinvest the proceeds of the sale.

On motion of Mr. McKenzie—

7. A bill to incorporate the Lafayette and New Providence Turnpike Road Company.

On motion of Mr. Hendrickson—

8. A bill for the benefit of the county clerk of Lewis county.

On motion of same—

9. A bill to amend the charter of the Maysville and Elizabethtown Turnpike Road.

On motion of same—

10. A bill for the benefit of Nicholas Moore, of Lewis county.

On motion of Mr. Lowe—

11. A bill to incorporate the Demossville and Gordonsville Turnpike Road Company.

On motion of Mr. Wight—

12. A bill to amend an act, entitled "An act to amend chapter 50, Revised Statutes, entitled 'Inclosures and Certain Trespasses.'"

Ordered, That the Committee on Revised Statutes prepare and bring in the 1st and 12th; the Committee on Internal Improvement the 2d and 3d; the Committee on Charitable Institutions the 4th; the Committee on Corporate Institutions the 5th, 7th, 9th, and 11th; the Committee on Education the 6th; and the Committee on Propositions and Grievances the 8th and 10th.

And then the House adjourned.

WEDNESDAY, FEBRUARY 15, 1871.

The following petitions were presented, viz:

By Mr. Claybrook—

1. The petition of the county court of Washington county, praying the passage of an act allowing said court to levy an additional tax for turnpike purposes.

By Mr. T. H. Moss—

2. The petition of citizens of Saloma, in Green county, praying the passage of an act to prohibit the sale of ardent spirits within the limits of said town.

By Mr. Davis—

3. The petition of citizens of Flemingsburg, praying an amendment to the charter of said town.

Which were received, the reading dispensed with, and referred—the 1st to the Committee on County Courts; the 2d to the Committee on Religion; and the 3d to the Committee on Corporate Institutions.

Leave was given to bring in the following bills, viz:

On motion of Mr. Price—

1. A bill concerning constables.

On motion of same—

2. A bill to incorporate the South Elkhorn Horse Association.

On motion of Mr. T. E. Moss—

3. A bill to establish a court of chancery and common law in McCracken county.

Ordered, That the Committee on County Courts prepare and bring in the 1st; the Committee on Agriculture and Manufactures the 2d; and the Committee on Circuit Courts the 3d.

Mr. Silvertooth, from the Committee on Circuit Courts, to whom was referred a bill from the Senate, entitled

An act to repeal the court of common pleas in the counties of Fulton, Hickman, Marshall, Ballard, and Graves, in the first judicial district,

Reported the same without amendment.

Amendments were offered by Messrs. Corbett and Hibbs, which were adopted.

Mr. T. E. Moss moved to amend said bill further, by inserting the word "McCracken," after the word "Graves," in the 1st section of said bill.

The question was then taken on the adoption of the amendment proposed by Mr. Moss, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Corbett and Hibbs, were as follows, viz:

Those who voted in the affirmative, were—

George W. Anderson,	James P. Ford,	Edward Myall,
P. W. Barron,	W. W. Frazer,	Joshua B. Parks,
Rob't C. Beauchamp,	R. T. Glass,	W. H. Pettus,
D. M. Bowen,	Clinton Griffith,	Douglass L. Price,
Jesse D. Bright,	D. Hambleton,	G. W. Quick,
William B. Caldwell,	Ashton P. Harcourt,	Robert Simmons,
Landon Carter,	Thomas H. Hays,	Henry H. Skiles,
A. T. Coffman,	Elijah Hogan,	R. M. Spalding,
R. L. Cooper,	R. E. Humphrey,	P. M. Thurmond,
F. R. Davis,	James Kilgore,	J. L. Waring,
N. C. Dille,	Wm. J. McElroy,	John F. Wight,
D. E. Downing,	Mason Morris,	John Wolf,
H. G. Duerson,	Thomas E. Moss,	S. M. Wrather,
M. W. Ferguson,	Thomas H. Moss,	Hugh H. York—42.

Those who voted in the negative, were—

William Adair,	J. S. Chrisman,	J. L. Hibbs,
Silas Adams,	Thomas T. Cogar,	Wm. Irwin, sr.,
Wm. F. Barret,	I. B. Combs,	G. W. Little,
John W. Blue,	Thomas H. Corbett,	George W. Riddle,
Orlando C. Bowles,	Asbury Dawson,	G. W. Silvertooth,
Samuel W. Brents,	L. D. Good,	George W. Terrell,
Howell Brewer,	A. J. Hendrickson,	L. Wilson—21.

And so said amendment was adopted.

Mr. Spalding moved an amendment, by way of substitute, for the bill and amendments.

Ordered, That said bill and amendments be recommitted to the Committee on County Courts.

Mr. Atherton, from a select committee, to whom was referred the preamble and resolution offered by him on the 11th inst., entitled

Resolution instructing our Senators and requesting our Representatizes in Congress to oppose the passage of the Cincinnati Southern Railway bill,

Reported the following substitute for the same, viz:

WHEREAS, It appears that a bill authorizing the city of Cincinnati, through her trustees, under the provisions of an act of the Ohio Legislature, known as the "Ferguson Bill," to construct a line of railway across the State of Kentucky, has been introduced into the

Senate of the United States; and whereas, the passage of this bill by the Congress of the United States would be an interference with the rights of this State to control its domestic affairs, and to grant acts and powers of incorporation to all companies and persons to exercise corporate privileges and powers within the limits of the State of Kentucky; and whereas, a failure on the part of this General Assembly to protest against Congressional interference in this question, might be construed as a tacit indorsement of such interference, which would result in the establishment of a precedent, at once repugnant to the people of this Commonwealth, and at war with the reserved rights of the States; therefore,

Resolved by the General Assembly of the Commonwealth of Kentucky, That our Senators are instructed and our Representatives are requested to oppose the passage of said bill, and the Secretary of State is directed to transmit a copy of this resolution to each of our Senators and Representatives in Congress.

Mr. Furber called for a division of the question.

The question was taken first on the adoption of the resolution, by way of substitute, as reported by the committee, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Furber and Ford, were as follows, viz:

Those who voted in the affirmative, were—

William Adair,	N. C. Dille,	George R. McKee,
J. M. Atherton,	D. E. Downing,	James A. McKenzie,
Wm. F. Barret,	H. G. Duerson,	Thomas E. Moss,
P. W. Barron,	John Duvall,	Thomas H. Moss,
Robert C. Beauchamp,	M. W. Ferguson,	Edward Myall,
John W. Blue,	W. W. Frazer,	Joshua B. Parks,
D. M. Bowen,	Robert T. Glass,	W. V. Prather,
Orlando C. Bowles,	L. D. Good,	Douglass L. Price,
Samuel W. Brents,	Clinton Griffith,	G. W. Quick,
E. Burr,	D. Hambleton,	George W. Riddle,
William B. Caldwell,	Ashton P. Harcourt,	Geo. W. Silvertooth,
James E. Cantrill,	J. B. Hays,	Robert Simmons,
Landon Carter,	T. H. Hays,	Henry H. Skiles,
James R. Claybrook,	J. L. Hibbs,	R. K. Smith,
A. T. Coffman,	Elijah Hogan,	Richard M. Spalding,
Thomas T. Cogar,	R. E. Humphrey,	P. M. Thurmond,
I. B. Combs,	William Irwin, sr.,	J. L. Waring,
R. L. Cooper,	George M. Jessee,	John F. Wight,
Thomas H. Corbett,	Alfred M. Jones,	L. Wilson,
Joseph M. Davidson,	James Kilgore,	John Wolf,
F. R. Davis,	Francis M. Lowe,	S. M. Wrather,
Asbury Dawson,	James B. McCreary,	Hugh H. York—68.
George R. Diamond,	William J. McElroy,	

Those who voted in the negative, were—

Silas Adams,	James P. Ford,	Elijah Hurst,
J. F. Baugh,	John N. Furber,	G. W. Little,
Howell Brewer,	A. J. Hendrickson,	W. H. Pettus,
J. S. Chrisman,	James R. Hindman,	Geo. W. Terrell—12.

And so said resolution was adopted.

The question was then taken on the adoption of the preamble as reported by the committee, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Furber and Chrisman, were as follows, viz:

Those who voted in the affirmative, were—

William Adair,	N. C. Dille,	George R. McKee,
J. M. Atherton,	D. E. Downing,	James A. McKenzie,
W. F. Barret,	H. G. Duerson,	Thomas E. Moss,
P. W. Barron,	John Duvall,	Edward Myall,
Rob't C. Beauchamp,	M. W. Ferguson,	Joshua B. Parks,
John W. Blue,	W. W. Frazer,	E. A. Pearson,
D. M. Bowen,	John N. Furber,	W. H. Pettus,
Orlando C. Bowles,	Robert T. Glass,	Douglass L. Price,
Samuel W. Brents,	L. D. Good,	G. W. Quick,
E. Burr,	Clinton Griffith,	George W. Riddle,
William B. Caldwell,	D. Hambleton,	George W. Silvertooth,
James E. Cantrill,	Ashton P. Harcourt,	Robert Simmons,
Landon Carter,	J. B. Hays,	Henry H. Skiles,
J. S. Chrisman,	T. H. Hays,	R. K. Smith,
James R. Claybrook,	J. L. Hibbs,	R. M. Spalding,
A. T. Coffman,	James R. Hindman,	Geo. W. Terrell,
Thos. T. Cogar,	Elijah Hogan,	P. M. Thurmond,
I. B. Combs,	R. E. Humphrey,	J. L. Waring,
R. L. Cooper,	William Irwin, sr.,	John F. Wight,
Thomas H. Corbett,	Alfred M. Jones,	L. Wilson,
Joseph M. Davidson,	James Kilgore,	John Wolf,
F. R. Davis,	Francis M. Lowe,	S. M. Wrather,
Asbury Dawson,	James B. McCreary,	Hugh H. York—71.
George R. Diamond,	Wm. J. McElroy,	

Those who voted in the negative, were—

Silas Adams,	James P. Ford,	Elijah Hurst,
J. F. Baugh,	A. J. Hendrickson,	G. W. Little—7.
Howell Brewer,		

And so said preamble was adopted.

A message was received from the Governor by Mr. Samuels, Assistant Secretary of State, announcing that he had approved and signed enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to amend section 47, Criminal Code of Practice.

An act to amend an act, entitled "An act to extend the limits of the town of Warsaw, and to amend, consolidate, and reduce into one all laws pertaining to said town," approved February 25, 1869.

An act amendatory of an act to amend an act, entitled "An act to incorporate the town of Hiseville, in Barren county."

An act to amend an act, entitled "An act to amend the charter of Bryantsville."

An act to incorporate the town of Centre, in Metcalfe county.

An act to amend section 326 of the Civil Code of Practice.

An act in relation to depositions heretofore taken, and oaths heretofore administered, by persons known as examiners.

An act for the benefit of the county attorney of Caldwell county.

An act providing for the appointment of a county treasurer for Lincoln county.

The House then, according to order, took up for further consideration a bill, entitled

A bill for the benefit of the several banks of issue of this Commonwealth.

Mr. Spalding moved to reconsider the vote by which said bill was ordered to be read a third time.

And the question being taken on the motion of Mr. Spalding, it was decided in the affirmative.

The question was then again taken, "Shall the bill be read a third time?" and it was decided in the negative.

And so said bill was rejected.

Mr. Glass, from the Committee on Banks, to whom was referred a bill from the Senate, entitled

An act for the benefit of the Commercial Bank of Kentucky and Farmers' Bank of Kentucky,

Reported the same without amendment, and without expression of opinion thereon by the committee.

Mr. Price moved an amendment thereto, which was rejected.

Pending consideration of said bill, the hour of 1 o'clock arrived, when, under the resolution adopted heretofore, the House took a recess.

At 3 o'clock, P. M., the House again assembled.

Leave was given to bring in the following bills, viz:

On motion of Mr. Wight—

1. A bill to incorporate the Farmers' and Traders' Bank of Shelby.

On motion of Mr. Bright—

2. A bill for the benefit of M. C. Hughes, late sheriff of Gallatin county.

On motion of same—

3. A bill to incorporate the Christian Church at Ghent, Carroll county.

On motion of Mr. Barron—

4. A bill to amend the charter of the city of Frankfort.

Ordered, That the Committee on Banks prepare and bring in the 1st; the Committee on Ways and Means the 2d; the Committee on Religion the 3d; and the Committee on Corporate Institutions the 4th.

Mr. McKee, from the Committee on Revised Statutes, to whom was referred a bill from the Senate, entitled

An act for the benefit of C. C. Harbin, jailer of Laurel county,

Reported the same without amendment.

Ordered, That said bill be read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. McKee, from the Committee on Revised Statutes, to whom was referred a bill from the Senate, entitled

An act to require railroad companies to keep open their ticket offices during one hour immediately next before the departure of their trains, in cases where tickets are required before entering the cars,

Reported the same with a substitute, by way of amendment thereto.

Said amendment was adopted.

Ordered, That said bill, as amended, be read a third time.

Said bill was then read a third time.

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. McKee, from the Committee on Revised Statutes, to whom was referred a bill from the Senate, entitled

An act to amend an act, entitled "An act to establish the office of Public Administrator and Guardian," approved January 28, 1865,

Reported the same without amendment, and with the expression of opinion that said bill ought not to pass.

The question was then taken, "Shall the bill be read a third time, the opinion of the committee to the contrary notwithstanding?" and it was decided in the negative.

And so said bill was disagreed to.

Bills were reported by the several committees, who were directed to prepare and bring in the same, of the following titles, viz:

By Mr. McKee, from the Committee on Revised Statutes—

A bill to protect the manufacturers and bottlers of mineral water, ale, &c.

By same—

A bill to amend section 6 of article 3, chapter 26, Revised Statutes, title "County Levy."

By same—

A bill to amend section 5, article 7, chapter 32, Revised Statutes, title "Elections."

By same—

A bill to amend the charter of the Stanford and Milledgeville Turnpike Company.

By same—

A bill in relation to the sale of spirituous liquors in Morgan county.

By same—

A bill to regulate the making of deeds in the Louisville chancery court.

By same—

A bill to repeal in part and amend an act, entitled "An act to punish certain trespasses in Jefferson, Scott, Mason, Kenton, Campbell, and Woodford counties."

Which were read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

On motion of Mr. McKee, the Committee on Revised Statutes were discharged from the further consideration of the leave to bring in a bill to secure a more prompt collection of the revenue, &c.

Ordered, That the Committee on Ways and Means prepare and bring in the same.

Mr. McKee, from the Committee on Revised Statutes, who were directed to prepare and bring in the same, reported bills of the following titles, viz:

A bill to amend an act to incorporate the Louisville Club, of the city of Louisville, approved March 9, 1868.

A bill to amend an act to incorporate the Kentucky Club at Louisville, approved March 5, 1868.

Which were read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be placed in the orders of the day.

Mr. McKee, from the Committee on Revised Statutes, who were directed to prepare and bring in the same, reported

A bill to re-enact an act authorizing county courts to make compensation to clerks for services under the pension laws.

Which was read the first time, and ordered to be read a second time.

Said bill was then read a second time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That an act, entitled "An act to repeal an act authorizing county courts to make compensation to county clerks under pension laws," approved January 14th, 1870, be, and the same is hereby, repealed; and an act, entitled "An act authorizing county courts to make compensation to clerks for services under pension laws," approved June 3d, 1865, is hereby re-enacted.

§ 2. This act shall take effect from its passage.

Mr. Little then moved to lay said bill on the table.

And the question being taken on the motion of Mr. Little, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Glass and Blue, were as follows, viz:

Those who voted in the affirmative, were—

Silas Adams,	D. E. Downing,	George M. Jessee,
G. W. Anderson,	H. G. Duerson,	Alfred M. Jones,
J. M. Atherton,	John Duvall,	James Kilgore,
Wm. F. Barret,	M. W. Ferguson,	G. W. Little,
P. W. Barron,	W. W. Frazer,	William J. McElroy,
Robt. C. Beauchamp,	Robert T. Glass,	Thomas E. Moss,
D. M. Bowen,	L. D. Good,	Edward Myall,
E. Burr,	D. Hambleton,	E. A. Pearson,

Wm. B. Caldwell,	Ashton P. Harcourt,	Douglass L. Price,
J. S. Chrisman,	J. B. Hays,	George W. Riddle,
James R. Claybrook,	T. H. Hays,	Richard M. Spalding,
A. T. Coffman,	J. L. Hibbs,	John F. Wight,
I. B. Combs,	James R. Hindman,	L. Wilson,
Thomas H. Corbett,	Elijah Hogan,	John Wolf,
Joseph M. Davidson,	R. E. Humphrey,	S. M. Wrather,
F. R. Davis,	William Irwin, sr.,	Hugh H. York—48.

Those who voted in the negative, were—

J. F. Baugh,	Francis M. Lowe,	W. H. Pettus,
John W. Blue,	James B. McCreary,	W. V. Prather,
Jesse D. Bright,	George R. McKee,	Robert Simmons,
R. L. Cooper,	Mason Morris,	Henry H. Skiles,
Asbury Dawson,	Joshua B. Parks,	George W. Terrell—16.
John N. Furber,		

And so said bill was laid on the table.

Mr. Price then moved to reconsider said vote.

Mr. Glass moved to lay the motion of Mr. Price on the table.

And the question being taken on the motion of Mr. Glass, it was decided in the affirmative.

Mr. McKee, from the Committee on Revised Statutes, who were directed to prepare and bring in the same, reported

A bill to amend an act to regulate the sale of spirituous liquors to minors.

Which was read the first time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That hereafter no person shall sell or give or loan, to any person or persons under the age of twenty-one years, any spirituous, vinous, or malt liquors, or the mixture of either, unless by the written consent or request of the father of such minor, if living, or of the mother or guardian of such minor, if the father be dead; and any person so offending shall be subject to a fine of not less than ten nor more than fifty dollars for each and every offense, recoverable in any court having jurisdiction of the amount, by warrant or indictment.

§ 2. This act shall take effect from its passage.

Ordered, That said bill be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Mr. Blue moved to amend said bill by inserting the word "knowingly" before the words "sell or give or loan," in the 1st section of the bill.

Mr. Price moved, as a substitute for the bill and amendment, the following:

Strike out all after enacting clause and insert, "that the law known as the Maine Liquor Law shall apply to the State of Kentucky."

The question was then taken on the amendment moved by Mr. Price, and it was decided in the negative.

The question was then taken on the amendment moved by Mr. Blue, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Blue and Bowen, were as follows, viz:

Those who voted in the affirmative, were—

George W. Anderson,	Thomas H. Corbett,	George M. Jessee,
John W. Blue,	Asbury Dawson,	Alfred M. Jones,
D. M. Bowen,	Elijah Hogan,	George W. Riddle,
I. B. Combs,	R. E. Humphrey,	P. M. Thurmond—12.

Those who voted in the negative, were—

William Adair,	H. G. Duerson,	William J. McElroy,
Silas Adams,	John Duvall,	George R. McKee,
J. M. Atherton,	M. W. Ferguson,	Mason Morris,
Wm. F. Barret,	W. W. Frazer,	Thomas E. Moss,
P. W. Barron,	John N. Furber,	Edward Myall,
J. F. Baugh,	Robert T. Glass,	Joshua B. Parks,
Robert C. Beauchamp,	L. D. Good,	E. A. Pearson,
Orlando C. Bowles,	Clinton Griffith,	W. H. Pettus,
Howell Brewer,	D. Hambleton,	W. V. Prather,
Jesse D. Bright,	Ashton P. Harcourt,	G. W. Quick,
E. Burr,	J. B. Hays,	G. W. Silvertooth,
William B. Caldwell,	Thomas H. Hays,	Robert Simmons,
J. S. Chrisman,	A. J. Hendrickson,	Henry H. Skiles,
James R. Claybrook,	J. L. Hibbs,	Richard M. Spalding,
A. T. Coffman,	J R. Hindman,	George W. Terrell,
R. L. Cooper,	William Irwin, sr.,	J. L. Waring,
Joseph M. Davidson,	James Kilgore,	John F. Wight,
F. R. Davis,	Francis M. Lowe,	John Wolf,
D. E. Downing,	G. W. Little,	Hugh H. York—57.

Mr. Combs then moved the following amendment, viz:

Insert at close of 1st section these words: "*Provided*, That this act shall not be enforced against a married man, or against any person who is engaged in doing business for himself."

And the question being taken on the amendment of Mr. Combs, it was decided in the negative.

Ordered, That said bill be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. G. W. Anderson and Combs, were as follows, viz:

Those who voted in the affirmative, were—

William Adair,	Joseph M. Davidson,	G. W. Little,
Silas Adams,	F. R. Davis,	James B. McCreary,
J. M. Atherton,	Asbury Dawson,	Wm. J. McElroy,
Wm. F. Barret,	D. E. Downing,	George R. McKee,
P. W. Barron,	John Duvall,	Mason Morris,
J. F. Baugh,	W. W. Frazer,	Thomas E. Moss,
Rob't C. Beauchamp,	John N. Furber,	Edward Myall,
John W. Blue,	R. T. Glass,	Joshua B. Parks,
D. M. Bowen,	L. D. Good,	W. H. Pettus,
Orlando C. Bowles,	Clinton Griffith,	G. W. Quick,
Howell Brewer,	D. Hambleton,	G. W. Silvertooth,
Jesse D. Bright,	Ashton P. Harcourt,	Robert Simmons,
E. Burr,	J. B. Hays,	Henry H. Skiles,
William B. Caldwell,	Thomas H. Hays,	R. M. Spalding,
James E. Cantrill,	A. J. Hendrickson,	George W. Terrell,
Landon Carter,	J. L. Hibbs,	P. M. Thurmond,
J. S. Chrisman,	Jas. R. Hindman,	J. L. Waring,
James R. Claybrook,	Elijah Hogan,	John F. Wight,
A. T. Coffman,	R. E. Humphrey,	John Wolf,
R. L. Cooper,	James Kilgore,	Hugh H. York—62.
Thomas H. Corbett,	Francis M. Lowe,	

Those who voted in the negative, were—

George W. Anderson,	Alfred M. Jones,	Douglass L. Price,
I. B. Combs,	E. A. Pearson,	George W. Riddle—7.
Wm. Irwin, sr.,		

Resolved, That the title of said bill be as aforesaid.

Mr. McKee, from the Committee on Revised Statutes, who were directed to prepare and bring in the same, reported

A bill concerning Notaries Public of the State.

Which was read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

And pending discussion thereon, on motion, the House adjourned.

THURSDAY, FEBRUARY 16, 1871.

Mr Quick, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to amend the charter of the town of Gratz, in Owen county;

An act to amend an act, entitled "An act to incorporate the Covington and Horse Branch Turnpike Road Company;"

An act regulating the rate of freights and tolls on the Paris and North Middletown Turnpike Road;

An act to incorporate the Lancaster, Fall Lick, and Mount Vernon Turnpike Road Company;

An act to incorporate the Mill Creek Turnpike Road Company, in Mason county;

An act to amend the charter of the Peak's Mill Turnpike Company;

An act to authorize the Garrard circuit court to direct a sale of the Lancaster and Crab Orchard Turnpike Road;

An act to incorporate the town of Providence, in Webster county;

An act to amend and reduce into one the several acts in relation to the town of Slaughterville, in Webster county;

An act to incorporate the town of Union, in the county of Boone;

An act to prohibit the sale of spirituous, vinous, or malt liquors in the county of Floyd;

An act for the benefit of McCracken county, and to enable her to pay her indebtedness;

An act to authorize the city of Maysville to subscribe and pay for stock in the Maysville and Lexington Railroad Company, Northern Division;

An act to incorporate the Valley and West Point Bridge Company;

And had found the same truly enrolled.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Quick inform the Senate thereof.

Mr. Price moved the following joint resolution, which lies one day on the table, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That the Capital of the State shall be, and is hereby, removed to the city of Lexington, on condition that the authorities of the said city shall appropriate the sum of one hundred thousand dollars for the

purchase of the Transylvania grounds and buildings, for the permanent location of the Capital, and on the further condition that the sum of fifty thousand dollars be raised by the citizens of Fayette county for the purchase of grounds and buildings for the Governor's residence.

The following petitions were presented, viz:

By Mr. Jones—

1. The petition of citizens of Green county, praying the formation of an additional civil district in said county.

By Mr. Claybrook—

2. The petition of citizens of Washington county, praying the passage of an act to allow the county court of said county to levy a tax to build a bridge over the Little Beach Fork.

By Mr. McKenzie—

3. The petition of citizens of Christian county, praying an appropriation in aid of the construction of a turnpike road to the Western Lunatic Asylum.

By Mr. Hogan—

4. The petition of citizens of Warsaw, praying the passage of a law prohibiting the sale of spirituous or vinous liquors in said town, or within four miles thereof.

Which were received, the reading dispensed with, and referred—the 1st to the Committee on Propositions and Grievances; the 2d to the Committee on County Courts; the 3d to the Committee on Charitable Institutions; and the 4th to the Committee on Religion.

Leave was given to bring in the following bills, viz:

On motion of Mr. Beauchamp—

1. A bill explanatory of an act to regulate the sale of intoxicating drinks in Hawesville and its vicinity, approved March 21, 1870.

On motion of Mr. Carter—

2. A bill to authorize the Anderson county court to levy a tax to build a bridge, and for other purposes.

On motion of Mr. Claybrook—

3. A bill to amend an act, entitled "An act to amend and re-enact an act to authorize common school district No. 7, in Washington county, to levy a tax for school purposes.

On motion of same—

4. A bill to charter the Springfield and Chaplin Turnpike Road Company.

On motion of Mr. Wrather—

5. A bill in relation to the sale of spirituous liquors in justice's district No. 9, in Meade county.

On motion of Mr. Skiles—

6. A bill to change the voting precinct of "Patillove's Mill," in Warren county.

On motion of Mr. Wight—

7. A bill to incorporate the Shelbyville and Berk's Branch Turnpike Road Company.

On motion of Mr. Claybrook—

8. A bill to amend section 1, article 22, of the Revised Statutes.

Ordered, That the Committee on Propositions and Grievances prepare and bring in the 1st and 7th; the Committee on Internal Improvement the 2d and 4th; the Committee on Education the 3d; the Committee on County Courts the 5th; the Committee on Privileges and Elections the 6th; and the Committee on Codes of Practice the 8th.

By Mr. G. W. Anderson, from the Committee on Corporate Institutions, to whom was referred a bill from the Senate, entitled

An act to amend the charter of the town of Franklin.

Reported the same without amendment.

Ordered, That said bill be read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

The House then took up for further consideration a bill, entitled

A bill to amend an act, entitled "An act authorizing the legal voters of the county of Lee to locate the county seat of said county," approved January 28, 1871.

Said bill was read a second time.

Ordered, That said bill be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Leave of absence, indefinitely, is granted to Mr. Smith.

Mr. McCreary, from a select committee to whom was referred the message of the Governor relating to the death of the Hon. Daniel Breck, reported the following preamble and joint resolutions, viz:

"WHEREAS, His Excellency, the Governor of Kentucky, has announced in a message the death of Hon. Daniel Breck, of Richmond, Ky.; and the General Assembly is desirous of manifesting respect for his personal worth and eminent public services; therefore,

1st. *Be it resolved by the General Assembly of the Commonwealth of Kentucky*, That in the death of Hon. Daniel Breck society has lost a noble and talented gentleman; the bar one of its brightest ornaments; the cause of education and internal improvement one of its ablest and most earnest advocates; and our country a patriot who has ever endeavored to promote its best interests.

2d. That in the various offices of public trust that he has filled in this State and in the nation, both as Representative in the Legislature and Judge of the Court of Appeals of Kentucky, and as a member of the Congress of the United States, he was the peer of any of his associates, and by his zeal and energy and intellect reflected honor upon himself, his constituents, and his country.

3d. That these resolutions be spread upon the Journals of the Senate and House of Representatives, and a copy of them be forwarded to the family of the deceased by the Secretary of State.

Said resolutions being twice read were, unanimously adopted.

On motion of Mr. Spalding, the further consideration of a bill, entitled

A bill for the benefit of the Kentucky River Navigation Company and others,

Was postponed to, and made the special order of the day for, Tuesday, 21st inst., at 10½ o'clock, A. M.

The Speaker having returned to the House, resumed his seat as such, and Mr. Chrisman, the Speaker *pro tem.*, retired therefrom.

The House, according to order, took up for further consideration a bill, entitled

A bill to provide for the improvement of Tradewater river,

And the amendments offered thereto.

The amendments heretofore moved by Mr. Blue were adopted.

Mr. Chrisman then moved an amendment to said bill.

Pending discussion thereon, the hour for taking a recess, under the rule, arrived, and further action thereon was suspended.

At 3 o'clock, P. M., the House again assembled.

Leave was given to bring in the following bills, viz:

On motion of Mr. Bright—

1. A bill to protect owners of land in Carroll county against trespasses committed by hunters.

On motion of Mr. Combs—

2. A bill to define the county line of Breathitt and Lee, near the store-house of J. & R. W. Crawford.

Ordered, That the Committee on Propositions and Grievances prepare and bring in the same.

The House then took up the unfinished order of yesterday, viz:

A bill concerning Notaries Public of the State.

Mr. Price moved to lay said bill on the table.

And the question being taken on the motion of Mr. Price, it was decided in the affirmative.

Bills from the Senate were reported, without amendment, by the committees to whom they had been referred, of the following titles, viz:

By Mr. Harcourt, from the Committee on Codes of Practice—

An act to amend section 345, title 9, chapter 2, article 1, of the Civil Code of Practice.

By Mr. Caldwell, from the Committee on Railroads—

An act for the benefit of the county of Fleming.

Ordered, That said bills be read a third time

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. McKenzie presented the memorial of Samuel C. Smith, M. D., claiming to have discovered an infallible and certain cure and preventative of hog cholera.

Which was received, the reading dispensed with, and referred to the Committee on Agriculture and Manufactures.

Mr. Cantrill, from the Committee on Codes of Practice, to whom was referred a bill from the Senate, entitled

An act to amend section 521 of the Civil Code of Practice,

Reported the same with an amendment thereto.

Said amendment was adopted.

Ordered, That said bill, as amended, be read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with,

The question was then taken on the passage thereof, and it was decided in the negative.

And so said bill was disagreed to.

Mr. Cantrill, from the Committee on Codes of Practice, who were directed to prepare and bring in the same, reported

A bill to amend chapter 9 of title 10 of the Civil Code of Practice, entitled "Forceable Entry and Detainer."

Which was read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Mr. T. E. Moss moved an amendment thereto.

And the question being taken on the amendment of Mr. Moss, it was decided in the negative.

Ordered, That said bill be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Bills were reported by the several committees, who were directed to prepare and bring in the same, of the following titles, viz:

By Mr. McKee, from the Committee on Revised Statutes--

A bill to change the time of holding the Garrard quarterly courts.

By same--

A bill to prohibit the sale of spirituous, vinous, and malt liquors in the village of Paint Lick, Garrard county.

By Mr. Claybrook, from the same committee—

A bill to amend section 1, article 22, of the Revised Statutes.

By Mr. McKenzie, from the Committee on Railroads—

A bill to re-enact an act, entitled "An act to amend the charter of the Owensboro and Russellville Railroad Company," approved February 1, 1868.

By Mr. G. W. Anderson, from the Committee on Corporate Institutions—

A bill to amend an act, entitled "An act to incorporate the Bardstown and Cedar Creek Turnpike Road Company."

By Mr. Cantrill, from the Committee on Codes of Practice—

A bill to amend sections 295 and 326, of the Code of Practice in civil cases.

By same—

A bill to amend section 320 of the Civil Code of Practice.

By Mr. Price, from the Committee on Charitable Institutions—

A bill to authorize Capital Lodge, No. 6, I. O. O. F., at Frankfort, to issue bonds.

By same—

A bill to incorporate the Franklin Association.

Which were read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Cantrill, from the Committee on Codes of Practice, to whom was recommitted a bill, entitled

A bill to amend section 226, Civil Code, making it the duty of sheriffs to copy attachments, &c., from other than his own county, in county clerk's offices, &c.,

Reported the same with an amendment thereto.

Said amendment was adopted.

The amendment heretofore moved by Mr. Davidson, was also adopted.

Ordered, That said bill, as amended, be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Price, from the Committee on Charitable Institutions, to whom was referred a bill from the Senate, entitled

An act for the benefit of the State House of Reform,

Reported the same without amendment.

Ordered, That said bill be read a third time.

Said bill was read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That for the purpose of inclosing the grounds and completing the present building, and to erect two additional or family houses of

sufficient capacity to accommodate from thirty to forty boys each, and to furnish the present building and the two proposed buildings with the necessary bedding and furniture, to erect a building for work-shops, and to purchase tools for the same, and such farming utensils as will be actually necessary to put the institution in working order, the sum of forty-five thousand dollars is hereby appropriated.

§ 2. That the Treasurer is hereby directed to pay to the commissioners, upon the warrant of the Auditor, the aforesaid sum, in the manner as directed in the act, entitled "An act to establish the State House of Reform for Juvenile Delinquents," approved 15th February, 1869: *Provided*, Said commissioners shall execute bond, as provided in said act.

§ 3. This act shall take effect from and after its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon, in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Bunch),	F. R. Davis,	Wm. J. McElroy,
William Adair,	J. C. DeMoss,	George R. McKee,
George W. Anderson,	N. C. Dille,	James A. McKenzie,
J. M. Atherton,	D. E. Downing,	Mason Morris,
W. F. Barret,	H. G. Duerson,	Thomas E. Moss,
P. W. Barron,	John Duvall,	T. H. Moss,
J. F. Baugh,	M. W. Ferguson,	Edward Myall,
Rob't C. Beauchamp,	W. W. Frazer,	E. A. Pearson,
John W. Blue,	John N. Furber,	W. H. Pettus,
D. M. Bowen,	L. D. Good,	W. V. Prather,
Orlando C. Bowles,	Clinton Griffith,	Douglass L. Price,
Howell Brewer,	Ashton P. Harcourt,	G. W. Quick,
Jesse D. Bright,	J. B. Hays,	George W. Silvertooth,
E. Burr,	T. H. Hays,	Robert Simmons,
William B. Caldwell,	J. L. Hibbs,	R. M. Spalding,
James E. Cantrill,	James R. Hindman,	Geo. W. Terrell,
Landon Carter,	Elijah Hogan,	P. M. Thurmond,
James R. Claybrook,	R. E. Humphrey,	J. L. Waring,
I. B. Combs,	William Irwin, sr.,	John F. Wight,
R. L. Cooper,	Alfred M. Jones,	John Wolf,
Thomas H. Corbett,	James Kilgore,	S. M. Wrather,
Joseph M. Davidson,	Francis M. Lowe,	Hugh H. York—66.

Those who voted in the negative, were—

Silas Adams,	D. Hambleton,	G. W. Little,
A. T. Coffman,	A. J. Hendrickson,	A. D. Weller—7.
Asbury Dawson,		

Resolved, That the title of said bill be as aforesaid.

And then the House adjourned.

FRIDAY, FEBRUARY 17, 1871.

The following petitions were presented, viz:

By Mr. Silvertooth—

1. The petition of citizens of school district No. 2, in Hickman county, praying the passage of an act to authorize the said district to levy a tax sufficient to maintain a first-class school therein.

By Mr. Price—

2. The petition of citizens of Lexington, praying the passage of an act incorporating the owners of the Kentucky Central Railroad.

By Mr. Griffith—

3. The petition of citizens of Owensboro, praying the passage of an act amending the charter of said town.

Which were received, the reading dispensed with, and referred—the 1st and 3d to the Committee on Education, and the 2d to the Committee on Railroads.

Leave was given to bring in the following bills, viz:

On motion of Mr. Barret—

1. A bill to incorporate the Public Library of Kentucky.

On motion of Mr. Duvall—

2. A bill to incorporate the Big Twin and Abbott's Landing Turnpike Road Company, in Owen county.

On motion of Mr. Cooper—

3. A bill to amend the charter of the Dover and Minerva Turnpike Road Company, in Mason county.

On motion of Mr. Corbett—

4. A bill to extend the corporate limits of Blandville, in Ballard county.

On motion of Mr. T. E. Moss—

5. A bill to amend the charter of the city of Paducah.

On motion of Mr. T. H. Hays—

6. A bill to increase the salary of the Superintendent of the Eastern Lunatic Asylum.

Ordered, That the Committee on Corporate Institutions prepare and bring in the 1st, 2d, 4th, and 5th; the Committee on Internal Improvement the 3d; and the Committee on the Sinking Fund the 6th.

Mr. McElroy moved to reconsider the vote by which the House, on yesterday, passed a bill from the Senate, entitled

An act for the benefit of the State House of Reform.

And the question being taken on the motion to reconsider, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Price and Barret, were as follows, viz:

Those who voted in the affirmative, were—

Silas Adams,	John Duvall,	Edward Myall,
J. M. Atherton,	James P. Ford,	W. H. Pettus,
P. W. Barron,	John N. Furber,	W. V. Prather,
Robert C. Beauchamp,	L. D. Good,	G. W. Quick,
D. M. Bowen,	Clinton Griffith,	Geo. W. Silvertooth,
Howell Brewer,	Ashton P. Harcourt,	Henry H. Skiles,
James E. Cantrill,	A. J. Hendrickson,	Richard M. Spalding,
J. S. Chrisman,	J. L. Hibbs,	Geo. W. Terrell,
A. T. Coffman,	Elijah Hogan,	P. M. Thurmond,
I. B. Combs,	George M. Jessee,	A. D. Weller,
Thomas H. Corbett,	G. W. Little,	L. Wilson,
F. R. Davis,	James B. McCreary,	John Wolf,
Asbury Dawson,	William J. McElroy,	S. M. Wrather,
N. C. Dille,	Mason Morris,	Hugh H. York—44.
D. E. Downing,	Thomas E. Moss,	

Those who voted in the negative, were—

Mr. SPEAKER (Bunch),	James R. Claybrook,	William Irwin, sr.,
William Adair,	R. L. Cooper,	Alfred M. Jones,
G. W. Anderson,	Joseph M. Davidson,	James Kilgore,
Wm. F. Barret,	W. W. Frazer,	Douglass L. Price,
J. F. Baugh,	T. H. Hays,	George W. Riddle,
Jesse D. Bright,	James R. Hindman,	Robert Simmons,
Landon Carter,	Elijah Hurst,	J. L. Waring—21.

And so said vote was reconsidered.

Mr. McElroy then moved to reconsider the vote by which said bill was ordered to be read a third time.

And the question being taken thereon, it was decided in the affirmative.

On motion of Mr. McElroy, said bill was recommitted to the Committee on Charitable Institutions.

A message was received from the Senate, announcing that they had received official information that the Governor had approved and signed enrolled bills, which originated in the Senate, of the following titles, viz:

An act to amend an act, entitled "An act to incorporate the Crescent City Sleeping Car Company," approved March 16, 1870.

An act for the benefit of school districts Nos. 8 and 9, in McLean county.

That they had passed a bill, which originated in the House of Representatives, entitled

An act to amend the charter of the city of Cynthiana.

And that they had passed bills of the following titles, viz :

1. An act to amend chapter 28 of the Revised Statutes, title "Crimes and Punishments."

2. An act to amend an act, entitled "An act to authorize the city of Newport to supply itself and others with pure water, and to establish water-works," approved January 26, 1871.

3. An act to amend an act, entitled "An act to incorporate the Ohio Valley White Lead Manufacturing Company, of Louisville," approved January 15, 1870.

4. An act authorizing certain voters of Nelson county to vote a tax to aid in the construction of the Chaplain and Anderson Turnpike Road and the Ashes Creek Turnpike Road.

5. An act for the benefit of the Kentucky Eastern Lunatic Asylum.

6. An act to change the time of holding the circuit courts in the 1st judicial district, and providing for the change of cases to courts of common pleas in certain cases.

Which were read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That they be referred—the 1st to the Committee on Revised Statutes; the 2d and 3d to the Committee on Corporate Institutions; the 4th to the Committee on Internal Improvement; the 5th to the Committee on Charitable Institutions; and the 6th to the Committee on Circuit Courts.

A message was received from the Senate, announcing that they had concurred in the adoption of a resolution, which originated in the House of Representatives, of the following title, viz :

Resolution fixing day for final adjournment.

Mr. Silvertooth, from the Committee on Circuit Courts, to whom was recommitted a bill from the Senate, entitled

An act to repeal the court of common pleas in the counties of Fulton, Hickman, Marshall, Ballard, and Graves, in the 1st judicial district,

Together with the amendments thereto,

Reported the same with a substitute therefor, by way of amendment.

Said amendment was adopted.

Ordered, That said bill, as amended, be read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Price, from the Committee on Charitable Institutions, to whom was referred a bill from the Senate, entitled

An act for the benefit of the Kentucky Eastern Lunatic Asylum,

Reported the same without amendment.

Ordered, That said bill be read a third time.

Said bill was then read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the several sums hereinafter specified be, and the same are hereby, appropriated, out of any money in the Treasury not otherwise appropriated, to the Kentucky Eastern Lunatic Asylum, to be applied by the Board of Managers of said Asylum in the following manner, viz: The sum of five thousand dollars is hereby appropriated, to be applied by said Board of Managers to repairing and restoring the buildings injured and destroyed by the late fire of said Asylum, and the sum of three thousand dollars is hereby appropriated, to be applied by said Board of Managers to repairing the old fencing, and in building new fencing on the farm belonging to said Asylum; and the sum of fifteen hundred dollars is hereby appropriated, to be applied by said Board of Managers to repairing the roof, windows, doors, &c., of the old Asylum buildings; and the Auditor, on the application of the President of said Board of Managers, is hereby authorized and instructed to issue his warrant on the Treasurer for the payment of the same.

§ 2. This act shall take effect from and after its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon, in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Bunch),	F. R. Davis,	James Kilgore,
William Adair,	Asbury Dawson,	Francis M. Lowe,
G. W. Anderson,	N. C. Dille,	G. W. Little,
J. M. Atherton,	D. E. Downing,	James B. McCreary,
Wm. F. Barret,	H. G. Duerson,	William J. McElroy,
P. W. Barron,	John Duvall,	Edward Myall,
J. F. Baugh,	James P. Ford,	W. H. Pettus,
Robt. C. Beauchamp,	W. W. Frazer,	W. V. Prather,

John W. Blue,	John N. Furber,	Douglass L. Price,
D. M. Bowen,	L. D. Good,	George W. Riddle,
Orlando C. Bowles,	Clinton Griffith,	George W. Silvertooth,
Samuel W. Brents,	Ashton P. Harcourt,	Robert Simmons,
Howell Brewer,	J. B. Hays,	Henry H. Skiles,
Jesse D. Bright,	T. H. Hays,	Richard M. Spalding,
James E. Cantrill,	A. J. Hendrickson,	George W. Terrell,
Landon Carter,	J. L. Hibbs,	P. M. Thurmond,
J. S. Chrisman,	James R. Hindman,	J. L. Waring,
James R. Claybrook,	Elijah Hogan,	A. D. Weller,
A. T. Coffman,	Elijah Hurst,	John Wolf,
I. B. Combs,	William Irwin, sr.,	S. M. Wrather,
R. L. Cooper,	George M. Jessee,	Hugh H. York—65.
Joseph M. Davidson,	Alfred M. Jones,	

In the negative, Thomas E. Moss—1.

Resolved, That the title of said bill be as aforesaid.

Mr. Griffith from a select committee to whom was referred the matter of an appropriating for the completion of fire-proof offices, &c., made the following report, viz:

The committee appointed to examine the condition of the new building, known as Fire-proof Offices, and investigate any facts connected therewith, submit the following:

The act approved February 2, 1869, appropriating one hundred thousand dollars, provides that the Commissioners may build suitable apartments and fire-proof rooms for the offices required to be kept at the Seat of Government. We call especially the attention of the House to the words "suitable apartments." This includes the Auditor's, Attorney General's, Treasurer's, Register of Land Office, and many other offices occupied by the officers of the State. We think the Commissioners desired to include in the new building as many of these offices as could be constructed with the sum appropriated. The Commissioners were not authorized to contract for a building to cost more than that sum, yet it was clearly their duty to construct the best building that could be built with the money appropriated. It was, moreover, their duty to locate the building so as not to destroy or impair the appearance of the Capitol grounds. Its location did not affect its cost, but improved its value, as the structure, while furnishing the necessary rooms, may, in future, be incorporated into and form a part of the State Capitol. We think, at the same time, that the Commissioners were desirous of having the State Capitol permanently located here, and may have been influenced by that consideration to accept bids for work because they were low, which

they might otherwise have rejected, and were, perhaps, influenced to set apart for a Senate Chamber a portion of the building not authorized in strict construction of the act of February, 1869. It is now wholly within the will of this and succeeding Legislatures to finish this room as a Senate Chamber. It may be used as a public office if preferred, and the Commissioners have no personal interest sufficiently potent to lead them to attempt to disregard the expressed will of this Assembly.

The plan of construction adopted was prepared and presented by Bradshaw & Vodges, architects, of Louisville. It was adopted as the best, if not only plan, of a suitable building that could be built for $100,000, or within a fraction thereof. Here was the radical error committed by the Commissioners. The plans submitted to them should have been submitted by them to a competent, disinterested architect; but the high standing of Bradshaw & Vodges, and the prospect of a practical execution of their plan for the sum appropriated, induced its acceptance.

Your committee are of the opinion that the Commissioners were unfortunate again in their preference of a contractor. We desire to report candidly and fairly, and do not intend any imputation upon Mr. Haly, leaving him to deal with the Commissioners for his vindication. But we think that a very large proportion of the difficulties and misfortunes of the enterprise to be attributed to Mr. Haly's management and conduct as contractor. We have not heard from Mr. Haly in person; but form our opinion from his memorial to the General Assembly on one side, and statements made to the committee, and detailed reports submitted to them, which they do not deem necessary to state here, but the truth of which they cannot question.

Mr. Haly covenanted with the Commissioners as per contract of June 18th, 1869, signed by Haly, Mahoney & Co., to execute the work set forth and accurately described in said contract, embracing excavation, rubble masonry, brick-work, cut-stone work, plastering, and stucco-work (including a Senate Chamber and hall), painting and glazing, tile-flooring, and wood-work of said building, for $83,-742 25, the same being his, which was the lowest bid. A contract was agreed on with Snead, of Louisville, for certain iron-work, but Snead declined to ratify the contract, and the same was afterwards transferred to and concluded by Haly. This increased Haly's contract to $97,000, in round numbers. To this must be added probable

cost of hardware, vaults, plumbing, roofing, and fees for advertising, and plans and specifications—in all about $105,000. We can readily comprehend how easily the Commissioners were led to run to this extent, over the sum appropriated, in a building of the proposed magnitude; and had the cost terminated here, no responsibility would have attached to the Commissioners for so slight and so reasonable transgression of the prescribed limit. Under this contract the work progressed until 1st December, 1869. Mr. Haly, in the aforesaid contract, obligated himself to finish this work by this date, under penalty of $200 for each day thereafter that his work remained incomplete. At this date, however, the walls were only up to base of second story, and your committee have no knowledge of any facts that excused Mr. Haly for his delinquency, or released him from his stipulated penalty. The work, to this period, was conducted under supervision of Mr. Clarke, who, by authority of act February, 1869, was employed by Commissioners as building architect. Your committee do not desire to express any opinion of Mr. Clarke as an architect, inasmuch as he was the employee of the Commissioners, and no doubt performed his work conscientiously. He permitted Mr. Haly, as we believe, unintentionally, to overdraw in his work, under circumstances explained by the Commissioners. This has, however, under Mr. Mergell, been recovered.

In January Mr. Clarke resigned. Mr. Mergell came in April, at request of Commissioners, and refused to undertake the completion of the building, pronouncing it defective and insecure. Bradshaw then came and defended his original plan as sound and capable of practical execution. Whitestone was sent for and indorsed Mergell's opinion. The Commissioners then instructed Mergell to employ hands per day, and tear down and build up in a manner substantial and durable. As far as possible the original plan was adhered to, but changes necessary for strength were made. When the building reached the same height to which Haly had carried it, Haly resumed work under his original contract, extra pay being allowed him for changes and extra work. Under Haly's contract and Mergell's supervision, the work reached the state of progress in which we find it to-day.

We desire here to state a few facts for the information of the House. The Commissioners have never had possession of one dollar of the money appropriated, nor of the $10,000 borrowed out of

bank, all payments having been made by drafts on the Auditor, in favor of the workmen, and on the banks in like manner. The Commissioners reserved the right to dismiss Haly when public good should demand his removal; and they have that right now, the original contract never having been annulled. The Commissioners, by act of February, 1869, receive no compensation, except those not residents of Frankfort, who are allowed the pay of members of the General Assembly—the services of the others being gratuitous.

The $10,000 was borrowed in order that the building might be covered and protected from the weather, the importance of which all must admit.

Haly's contracts, in round numbers, aggregate $97,000; Haly has received, in round numbers, on contract, $65,000, leaving balance due Haly on completion of the contract, $32,000. Mr. Mergell says the work cannot be done for that amount, as many changes will be made, and much extra work necessary. Reconstruction cost, $5,748 68; changes and extra work, $31,337 83; paid out to all persons, $114,011 71, less $4,768 held back from Haly. There are several small accounts estimated, but not fixed, amounting to about $3,000—making total cost to date, taking no account of the right of reclamation for indifferent work, $117,011, or within a fraction of that amount. Money on hand $1,025, showing an excess over appropriation of $17,011, if no damages are claimed from contractors

Your committee now come to their chief duty, and report with unassumed diffidence. We are not practical architects, and can speak only from our observation and experience. The edifice rests on a foundation stone about five feet wide. On this stands the rubble masonry, from two to three feet thick. The brick walls are twenty-four inches to seventeen inches thick as to elevation. Inside brick walls from twenty-two to thirteen inches as to elevation. The walls are strong, but we think rough; yet, when plastered, will not show this defect. Two small cracks were found; not in important walls, and not at all serious. We discovered no deflection in any of the walls. The tin roofing is represented as good. We have no hesitancy in expressing the opinion that the building is strong and durable, presenting no serious defects so far as we could see. Mr. Mergell says that all the defective arches will be secured, and estimates that $82,000 would finish the building, including Senate Chamber, which, with $17,000 due, would, in round numbers, require

an appropriation of $100,000. He estimates that for about $40,000, over and above the outstanding debt of $17,000, he could complete most, if not all, of the fire-proof apartments.

We have attempted to lay before the House all the facts of importance, and beg your indulgence for the length of this report.

Since the above report was prepared, the committee, desiring to faithfully perform their duty, and to ascertain, unmistakably, the condition of the building, sent for Mr. Thomas, of Covington, and Mr. Andrewartha, of Louisville, professional architects and practical builders of recognized ability, and submit as part of this report a written report made to the committee. They state that with the defective arches strengthened, and a proper regard for strength and distribution of the pressure of the floors, the structure will be entirely safe and secure. For details, we refer you, and desire to call the attention of the Commissioners, to their written report.

Your committee further recommend, that, to avoid further complications, to secure good work, and to practice economy, the Commissioners should settle up, as they, under existing contracts, may think just and equitable, with the contractors for all work done on the building, and employ contractors skilled in each kind of work yet to be done, to execute and finish up the various descriptions of work belonging to their respective trades. This avoids the intervention of a general contractor, brings the supervising architect in direct communication with the various classes of workmen, enables him to prepare new plans and specifications for interior finish, to the proper execution of which the Commissioners can bind the contractor, and relieves the Commissioners of the difficulty of operating under a contract or contracts that are constantly interrupted by changes in the work, if not by a radical departure from the original drafts. We think in this way that the amount asked in the bill will go far towards putting the building in a condition to receive its various occupants.

CLINTON GRIFFITH, *Chairman.*
J. M. ATHERTON,
JOHN WOLF,
D. M. BOWEN,
WM. IRWIN.

FRANKFORT, KY., February 15, 1871.

To the Committee on Public Buildings:

GENTLEMEN: We, the undersigned, by appointment of your honorable committee, having inspected the "Fire-proof Offices" now erecting in Frankfort, Ky., have to state as follows, viz:

That the condition of the basement walls is defective as to general appearance, with the evidence of sufficient strength to sustain the superstructure.

The ground arches, where still remaining, are entirely useless, and should be taken out, and other construction of floor adopted, such as iron beams and arches, as in the remaining portions of first floor.

The trimmer arches over openings, in most cases, are defective, especially owing to want of proper construction—the spring of the arch not being in proportion to the bearing, and from being unequally loaded by beams bearing on same, and by the jambs of openings above not being "plumb" over those below, and from other general causes, which should be remedied by filling in the openings with masonry, or by underpinning with strong cast iron beams or lintels, made to fit the arches, and well tightened up with iron wedges driven firmly in on good bearings before the floors are completed.

The iron beams in construction of fire-proof floors would have been better if the ends had rested on iron plates built in the walls under them; but at this time it would, with difficulty, be practicable; and, consequently, together with other reasons, the construction of said fire-proof floors should be completed by the adoption of a principle of fire-proof construction which will commend itself for its lightness of construction. To attain this end there are several methods, viz: Forming a ceiling of perforated iron plates, and finishing with plaster; forming a ceiling of finished cast iron plates or panels, and no plaster; forming a ceiling by the attachment of light hoop iron to the flanges of beams, by bending the ends over edges, and interlacing with the same material, and plastering with "gauged" stuff, or mortar mixed with proportion of plaster of paris.

This latter we recommend to be adopted where practicable, especially in upper floor or ceilings, and the first floor with arches, as originally contemplated—the architect or superintendent to use his own judgment in discriminating where either the one or the other

construction could be practicably available, subject to the reasons herein generally assigned, viz: to prevent lateral strain on other walls.

Further, we recommend, in all cases where the outer walls become the abutments of arches, that tie-rods should be inserted in iron beams, and a half-tie or channeled beam placed next the walls, and the whole screwed up tight to receive the breast of arches in floors; and, where used, the tie-rods should be near the lower flange of beams.

The general appearance of the work on the exterior we consider good, with but few exceptions (principally want of uniformity of color and formation of ashlar), notwithstanding the consideration that the work is not yet "cleaned down and pointed up."

The roof appears to be well formed and secured, and is calculated to tie on the outer walls, and thereby strengthen the same.

After due consideration, we are of opinion that the entire construction, with but few exceptions, is "weak," and should not form a precedent for the construction of any building of similar magnitude. The outer walls, although strong enough for proposed purposes, should not be subjected to any other strain but direct pressure; such pressure to be as light and as well distributed as possible; and any "extra" lateral strains should not, in any case, be allowed.

Provided the before-mentioned conditions receive proper consideration in the completion of the building, we would pronounce it secure.

We have the honor to be,

Yours, very respectfully,

JOHN ANDREWARTHA,
D. J. THOMAS.

FEBRUARY, 15th, 1871.

From general observation, and comparative values, we are led to the conclusion that the value of the building, or the work done on same to this date, would not be less than one hundred and seventeen thousand dollars ($117,000), or thereabout.

JOHN ANDREWARTHA,
D. J. THOMAS.

And also reported a bill, entitled

A bill appropriation fifty-five thousand dollars for fire-proof offices in the city of Frankfort.

Which was read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said report and bill be printed, and that the same be made the special order of the day for Wednesday, 22d inst., at 11 o'clock, A. M.

According to order, the House took up for further consideration a bill from the Senate, entitled

An act to incorporate the Kentucky Central Railroad Company.

Mr. Furber offered an amendment to said bill.

Pending discussion thereon, the hour for taking a recess, under a resolution heretofore adopted, arrived.

At 3 o'clock, P. M., the House again assembled.

Leave was given to bring in the following bills, viz:

On motion of Mr. T. E. Moss—

1. A bill to change and fix the times of holding the terms of the common pleas court in the counties of McCracken and Ballard.

On motion of Mr. Myall—

2. A bill to incorporate the town of Flat Rock, in Bourbon county.

On motion of Mr. Terrell—

3. A bill to legalize the acts of Frank Walton and I. B. Finnell, deputy clerks of Boone county.

Ordered, That the Committee on Circuit Courts prepare and bring in the 1st; the Committee on Corporate Institutions the 2d; and the Committee on the Judiciary the 3d.

Mr. Silvertooth, from the Committee on Federal Relations, to whom was referred a preamble and resolution heretofore offered by Mr. Price, entitled

Resolution in relation to tax on State bank circulation,

Reported the same without amendment, and with the expression of opinion that same ought to be adopted.

Said preamble and resolution were laid on the table for the present.

Mr. Blue, from the Committee on Codes of Practice, who were directed to prepare and bring in the same, reported

A bill to amend section 154, of the Criminal Code of Practice, chapter 4, title "Production of Evidence."

Which was read the first time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That section 154 of the Criminal Code of Practice be so amended as to allow the taking of the depositions of material witnesses who are absent from the State, in accordance with the provisions of said section, and such evidence shall be competent evidence, and may be read on the trial of the case, although the witness may be dead.

§ 2. This act to take effect from its passage.

Ordered, That said bill be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Mr. Chrisman moved to lay said bill on the table.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Chrisman and Moss, were as follows, viz:

Those who voted in the affirmative, were—

Silas Adams,	Joseph M. Davidson,	Alfred M. Jones,
Wm. F. Barret,	Asbury Dawson,	James Kilgore,
J. F. Baugh,	D. E. Downing,	James B. McCreary,
John W. Blue,	John Duvall,	Joshua B. Parks,
Orlando C. Bowles,	M. W. Ferguson,	G. W. Quick,
Howell Brewer,	Ashton P. Harcourt,	Robert Simmons,
William B. Caldwell,	Ben. Hardin,	George W. Terrell,
James E. Cantrill,	Thomas H. Hays,	P. M. Thurmond,
A. T. Coffman,	J. L. Hibbs,	S. M. Wrather,
I. B. Combs,	William Irwin, sr.,	Hugh H. York—30.

Those who voted in the negative, were—

Mr. SPEAKER (Bunch),	A. J. Hendrickson,	E. A. Pearson,
George W. Anderson,	J R. Hindman,	W. H. Pettus,
P. W. Barron,	Elijah Hogan,	W. V. Prather,
Robert C. Beauchamp,	Elijah Hurst,	Douglass L. Price,
D. M. Bowen,	G. W. Little,	George W. Riddle,
J. S. Chrisman,	William J. McElroy,	G. W. Silvertooth,
R. L. Cooper,	George R. McKee,	Henry H. Skiles,
F. R. Davis,	James A. McKenzie,	J. L. Waring,
N. C. Dille,	Mason Morris,	John F. Wight,
John N. Furber,	Thomas E. Moss,	John Wolf—32.
L. D. Good,	Edward Myall,	

And so said bill was laid on the table.

Mr. Blue, from the Committee on Codes of Practice, who were directed to prepare and bring in the same, reported

A bill to amend title 10, chapter 4, section 467, of the Civil Code of Practice.

Which was read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

On motion of Mr. Griffith, the bills heretofore reported, entitled

A bill to change the time of payment of the revenue into the State Treasury, and to change the revenue laws;

A bill to facilitate the collection of the public revenue;

Were recommitted to a select committee, to be appointed by the Speaker; and thereupon the Speaker appointed Messrs. Griffith, Blue, Furber, McCreary, and McKenzie as said committee.

Mr. Price, from the Committee on Charitable Institutions, to whom was referred a bill from the Senate, entitled

An act for the benefit of the Deaf and Dumb Asylum at Danville,

Reported the same without amendment.

Ordered, That said bill be read a third time.

Said bill was then read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the sum of forty-five hundred dollars be, and the same is hereby, appropriated, out of any money in the Treasury not otherwise appropriated, to the Deaf and Dumb Asylum at Danville, to be applied by the board of commissioners thereof to the payment for the lot of land recently purchased by them of J. G. Proctor, in the town of Danville, and adjoining said Asylum grounds; and the Auditor, on the application of the president of said board of commissioners, is hereby directed to issue his warrant on the Treasurer for the payment of the same.

§ 2. This act shall take effect from and after its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon, in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Silas Adams,	D. E. Downing,	George R. McKee,
George W. Anderson,	John Duvall,	James A. McKenzie,
Wm. F. Barret,	M. W. Ferguson,	Mason Morris,

P. W. Barron,
J. F. Baugh,
Rob't C. Beauchamp,
John W. Blue,
D. M. Bowen,
Orlando C. Bowles,
Howell Brewer,
William B. Caldwell,
James E. Cantrill,
J. S. Chrisman,
James R. Claybrook,
I. B. Combs,
R. L. Cooper,
Thomas H. Corbett,
Joseph M. Davidson,
F. R. Davis,
Asbury Dawson,
N. C. Dille,
John N. Furber,
L. D. Good,
Clinton Griffith,
Ashton P. Harcourt,
Ben. Hardin,
Thomas H. Hays,
A. J. Hendrickson,
J. L. Hibbs,
Jas. R. Hindman,
Elijah Hogan,
Elijah Hurst,
Alfred M. Jones,
James Kilgore,
Francis M. Lowe,
G. W. Little,
James B. McCreary,
Wm. J. McElroy,
Thomas E. Moss,
Edward Myall,
Joshua B. Parks,
E. A. Pearson,
W. H. Pettus,
Douglass L. Price,
William S. Richart,
George W. Riddle,
G. W. Silvertooth,
Robert Simmons,
Henry H. Skiles,
George W. Terrell,
P. M. Thurmond,
J. L. Waring,
John F. Wight,
John Wolf,
Hugh H. York—61.

In the negative, Wm. Irwin, sr.—1.

Resolved, That the title of said bill be as aforesaid.

Mr. Furber, from the Committee on Insurance, who were directed to prepare and bring in the same, reported

A bill to increase the salary of the Insurance Commissioner.

Which was read the first time, and ordered to be read a second time.

Said bill was then read a second time as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That from and after the 16th day of June, 1871, the salary of the Insurance Commissioner shall be six thousand dollars per year, to be paid as now provided by law.

Mr. Bowles moved to lay said bill on the table.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Blue and Furber, were as follows, viz:

Those who voted in the affirmative, were—

Silas Adams,
P. W. Barron,
Orlando C. Bowles,
Howell Brewer,
J. S. Chrisman,
A. T. Coffman,
I. B. Combs,
F. R. Davis,
Asbury Dawson,
D. E. Downing,
L. D. Good,
Ben. Hardin,
J. L. Hibbs,
James R. Hindman,
James Kilgore,
G. W. Little,
William J. McElroy,
Mason Morris,
Edward Myall,
Joshua B. Parks,
W. V. Prather,
Douglass L. Price,
G. W. Quick,
George W. Terrell,
John F. Wight,
John Wolf,
S. M. Wrather,
Hugh H. York—28.

And had found the same truly enrolled.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Bowles inform the Senate thereof.

A message was received from the Senate, announcing that they had concurred in the amendment proposed by the House to a bill, which originated in the Senate, entitled

An act for the benefit of James M. Bullock, of Larue county.

That they had concurred in the adoption of a resolution from the House of Representatives, entitled

Resolution requesting Insurance Commissioner to make investigation of the affairs of certain insurance companies,

With an amendment thereto.

That they had passed bills, which originated in the House of Representatives, of the following titles, viz:

An act for the benefit of William O. Mize.

An act to create the office of Superintendent of the Negro Paupers of Mercer county.

An act for the benefit of James W. Hannah, of Elliott county.

An act to amend the charter of the Alexandria and Flag Springs Turnpike Road Company, in Campbell county.

An act to amend the charter of the Newport and Licking Turnpike and Plank Road Company, and to authorize same to issue bonds.

An act for the benefit of the Germantown and Bridgeville Turnpike Road Company, in Bracken county.

An act for the benefit of J. S. Pitman and W. Frank Crawford, of Powell county.

An act declaring Lower Buffalo Creek, in Owsley county, a navigable stream, from its mouth to the mouth of the Road Fork of said creek.

An act to incorporate the Dixon and Clayville Turnpike and Gravel Road Company, in Webster county.

An act to incorporate the Jacksonville and Townsend Turnpike Road Company.

An act to amend an act, entitled "An act to incorporate the Springfield, Willisburg, Antioch, and Fox Creek Turnpike Road Company."

An act for the benefit of the present and future sheriffs of Bath county.

An act to regulate the times of holding circuit courts in the thirteenth judicial district.

An act to change the time of holding the monthly sessions of the Bracken county court.

An act to amend the charter of the city of Newport.

An act to amend the charter of the city of Newport.

An act to protect the manufacturers and bottlers of mineral water, ale, &c.

An act to amend the charter of the Stanford and Milledgeville Turnpike Company.

An act for the benefit of the town of Tompkinsville, in Monroe county.

With an amendment to the last named bill.

And that they had passed bills of the following titles, viz:

1. An act to authorize and empower the county court of McLean county to levy an additional tax, and to issue county bonds to build a new court-house and jail, and for other purposes.

2. An act to authorize life insurance companies to make special deposits of securities in the insurance department.

3. An act amending section 2, article 1, chapter 50, of the Revised Statutes.

4. An act for the benefit of inebriates and their relatives.

5. An act to require the clerk of the Green county court to index and cross-index certain deed books in Green county.

6. An act to authorize the county court of Taylor county to sell a part of the court-house lot in Campbellsville for certain purposes.

7. An act to amend the charter of the city of Augusta.

8. An act for the benefit of S. S. McFatridge, late sheriff of Mercer county.

9. An act for the benefit of the Cynthiana and Ashbrook's Mill Turnpike Road Company, in Harrison county.

10. An act to amend the charter of the Louisville and Jefferson County Association.

11. An act to create and regulate the office of county treasurer for McCracken county.

12. An act for the benefit of Margaret Grief, of McCracken county.

13. An act to reduce into one the several acts in regard to the town of Somerset.

14. An act for the benefit of Richard Board, clerk of the Mercer circuit court.

15. An act to amend the charter of the town of Catlettsburg.

Which were read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That they be referred—the 1st, 5th, 6th, 8th, and 11th to the Committee on County Courts; the 2d to the Committee on Insurance; the 3d to the Committee on Revised Statutes; the 4th to the Committee on Religion; the 7th, 10th, 13th, and 15th to the Committee on Corporate Institutions; the 9th to the Committee on Internal Improvement; the 12th to the Committee on the Judiciary; and the 14th to the Committee on Circuit Courts.

The following petitions and remonstrances were presented, viz:

By Mr. Skiles—

1. The petition of citizens of Warren county, praying that negroes be admitted to testify in the courts.

By Mr. McCreary—

2. The petition of citizens of Bourbon county, praying the passage of a bill for the benefit of the Kentucky Central Railroad.

By Mr. Wight—

3. The remonstrance of citizens of Shelby county, against the passage of a law making Shelby College a graded school.

By Mr. Hogan—

4. The remonstrance of citizens of Warsaw, against the passage of a law to prohibit the sale of liquors in said town.

By Mr. Jones—

5. The petition of citizens of Midway, praying an amendment to the charter of said town.

Which were received, the reading dispensed with, and referred—the 1st to the Committee on Codes of Practice; the 2d to the Committee on Railroads; the 3d to the Committee on Education; the 4th to the Committee on Religion; and the 5th to the Committee on Corporate Institutions.

Leave was given to bring in the following bills, viz:

On motion of Mr. Skiles—

1. A bill to amend the charter of Bowling Green.

On motion of Mr. Kilgore—

2. A bill to amend an act to establish the county of Elliott.

On motion of same—

3. A bill to incorporate the Catlettsburg Cemetery Company.

On motion of Mr. Richart—

4. A bill for the benefit of the Presbyterian Church in Winchester.

On motion of same—

5. A bill to change the time of holding the Montgomery quarterly courts.

On motion of Mr. Barron—

6. A bill to require county surveyors to obtain a certificate of qualification before entering upon official duties.

On motion of Mr. Davis—

7. A bill for the benefit of assessors of this Commonwealth.

On motion of Mr. Bowles—

8. A bill for the benefit of Shadrach Combs, sheriff of Letcher county for the year 1869.

On motion of Mr. Davidson—

9. A bill for the benefit of John W. Hazelrigg, and the heirs of executors of E. E. Duke, deceased, late of Morgan county.

On motion of same—

10. A bill to amend an act, entitled "An act for the improvement of the Big Sandy river," approved February 10, 1870.

On motion of same—

11. A bill for the benefit of A. W. Nickell, sheriff of Johnson county for the year 1869, and his securities.

On motion of same—

12. A bill for the benefit of O. C. Bowles and others.

On motion of Mr. McKee—

13. A bill to amend the game laws.

On motion of Mr. Hogan—

14. A bill for the benefit of the assessors of this Commonwealth.

On motion of Mr. Dille—

15. A bill to amend the charter of the Cynthiana and Millersburg Turnpike Road.

On motion of Mr. Jessee—

16. A bill to charter the Sweet Home and Pleasureville Turnpike Road Company.

On motion of same—

17. A bill to amend the charter of the Newcastle and Kentucky River Turnpike Company.

On motion of same—

18. A bill to charter the Newcastle and Pleasureville Turnpike Road Company.

On motion of same—

19. A bill to amend the Mt. Gilead and Campbellsburg Turnpike Road Company.

On motion of Mr. Wolf—

20. A bill for the benefit of school district No. 34, in Kenton county.

On motion of same—

21. A bill to repeal an act, entitled "An act to change the road law in Kenton county," approved February 16th, 1870.

On motion of same—

22. A bill for the benefit of H H. Mullin, of Kenton county.

On motion of Mr. Baugh—

23. A bill for the benefit of Allen Blakely, sr., of Laurel county.

On motion of Mr. Hendrickson—

24. A bill to amend the charter of the Concord and Tollsboro Turnpike Road.

On motion of Mr. Barret—

25. A bill to incorporate the College Street Presbyterian Church, of Louisville.

On motion of Mr. Hibbs—

26. A bill for the benefit of Henry C. Thompson, of Livingston county.

On motion of Mr. Humphrey—

27. A bill to define the line between the counties of Muhlenburg and McLean.

On motion of Mr. Jones—

28. A bill to amend the charter of Granville Hill Cemetery, of Woodford county.

On motion of Mr. Lowe—

29. A bill to protect bridges in Pendleton county.

On motion of Mr. Adams—

30. A bill for the benefit of school district No. 8, Casey county.

On motion of Mr. Furber—

31. A bill to authorize the school board of the city of Covington to borrow money and issue bonds for the construction of school buildings.

On motion of same—

32. A bill directing the purchase of Collins' Historical Sketches of Kentucky.

On motion of Mr. Simmons—

33. A bill to provide for the levy of an additional tax of 10 cents on the $100 worth of property for general revenue purposes.

On motion of Mr. York—

34. A bill for the benefit N. B. Campbell, of Josh Bell county.

On motion of same—

35. A bill appointing commissioners in Knox and Josh Bell counties, whose duty it shall be to settle with the judges of said counties for money received by them from toll-gate keepers on Wilderness Turnpike Road, in said counties.

On motion of Mr. Wight—

36. A bill for the benefit of the employers of labor in this Commonweath.

On motion of Mr. Quick—

37. A bill to incorporate Canton Lodge, No. 170, I. O. O. F.

On motion of Mr. Chrisman—

38. A bill to amend the revenue laws of this Commonwealth.

On motion of same—

39. A bill to amend the law in relation to the assessors of tax in this Commonwealth.

On motion of Mr. Little—

40. A bill for the benefit of James S. Randall, of Whitley county.

On motion of Mr. McCreary—

41. A bill for the benefit of school district No. 22, in Madison county.

On motion of Mr. Hurst—

42 A bill for the benefit of Felix T. Begley, late sheriff of Perry county.

Ordered, That the Committee on Corporate Institutions prepare and bring in the 1st, 3d, 12th, 24th, 25th, 28th, and 37th; the Committee on Propositions and Grievances the 2d, 27th, and 36th; the Committee on Religion the 4th; the Committee on County Courts the 5th, 7th, and 35th; the Committee on Public Offices the 6th; the Committee on Ways and Means the 8th, 9th, 10th, 11th, 33d, and 42d; the Committee on Agriculture and Manufactures the 13th; the Committee on Revised Statutes the 14th, 21st, 22d, 38th, and 39th; the Committee on Internal Improvement the 15th, 16th, 17th, 18th, and 19th; the Committee on Education the 20th, 30th, 32d, and 41st; the Committee on Claims the 34th; the Committee on Charitable Institu-

tions the 23d and 40th; the Committee on the Judiciary the 26th and 29th; and a select committee, consisting of Messrs. Simmons, Wolf, and Barret, the 31st.

Mr. T. E. Moss moved the following resolution, viz:

Resolved, That on and after the 20th inst., debate, during this session, shall be limited and restricted to ten minutes' time to each speaker upon any bill, proposition, or question.

On motion of Mr. Price, said resolution was laid on the table.

It having been omitted in the Journal of yesterday to show, that, by the vote of the House on the substitute reported by the committee as an amendment to Senate bill, entitled

An act to repeal the court of common pleas in the counties of Fulton, Hickman, Marshall, Ballard, and Graves, in the first judicial district,

The title of said bill was changed, it is now for then

Ordered, That the title of said bill be changed so as to read:

An act to repeal the court of common pleas in the counties of Hickman, Fulton, Graves, and Marshall, in the first judicial district.

On motion of Mr. Furber, the House took up for consideration the motion heretofore made to reconsider the vote by which the House laid on the table a bill, entitled

A bill to facilitate the sale of produce.

And the question being taken on the motion to reconsider, it was decided in the affirmative.

On motion of Mr. Furber, the further consideration of said bill was postponed to, and made the special order of the day for, Wednesday next, at 10½ o'clock, A. M.

On motion of Mr. Bowles, the bills reported and now pending, entitled

A bill authorizing and directing the sale of the interest and stock owned by the State of Kentucky in turnpike roads or turnpike road companies;

A bill authorizing and empowering county courts to purchase from Commissioners of the Sinking Fund stock in turnpike roads belonging to the State of Kentucky;

Was postponed to, and made the special order of the day for, Tuesday next, at 10½ o'clock, A. M.

The House then took up the amendments proposed by the Senate to a bill, which originated in the House of Representatives, entitled

An act for the benefit of the town of Tompkinsville, in Monroe county.

Said amendments were concurred in.

On motion of Mr. Riddle, the further consideration of a bill, and the amendment offered thereto, entitled

A bill to provide for the improvement of Tradewater river,

Were postponed to, and made the special order for, Thursday, 23d inst., at 10½ o'clock, A. M.

A message was received from the Governor by Mr. Samuels, Assistant Secretary of State, announcing that he had approved and signed enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to incorporate the town of Union, in the county of Boone.

An act to incorporate the town of Providence, in Webster county.

An act prohibiting the sale of spirituous liquors, &c., in Cumberland county.

An act to authorize the city of Maysville to subscribe and pay for stock in the Maysville and Lexington Railroad Company, Northern Division.

An act to authorize the Garrard circuit court to direct a sale of the Lancaster and Crab Orchard Turnpike Road.

An act to prohibit the sale of spirituous, vinous, or malt liquors in the county of Floyd.

An act to amend the charter of the town of Gratz, in Owen county.

An act to amend an act, entitled "An act to incorporate the Covington and Horse Branch Turnpike Road Company."

An act for the benefit of McCracken county, and to enable her to pay her indebtedness.

An act to incorporate the Valley and West Point Bridge Company.

An act to amend chapter 7 of the Revised Statutes, title "Boats and Navigation."

An act to amend the charter of the town of Dixon, in Webster county.

An act to amend the charter of the Peak's Mill Turnpike Company.

An act to incorporate the Mill Creek Turnpike Road Company, in Mason county.

An act for the benefit of common schools in Kentucky.

An act to amend the charter of the Covington and DeCourcey Creek Turnpike Road Company.

An act to prohibit the sale of spirituous liquors, &c., in the town of Burksville, in Cumberland county.

An act to amend an act, entitled "An act to reduce the price of vacant lands in this Commonwealth."

An act to amend an act, entitled "An act to incorporate the Concord and Tollsboro Turnpike Road Company."

An act for the benefit of Enoch Creech, of Clay county.

An act for the benefit of William Langdon, committee for Thomas Langdon, an idiot, in Pulaski county.

An act to prohibit the sale or other disposition of spirituous, vinous, or malt liquors near Fox Creek Church, in Anderson county.

An act for the benefit of the jailer of Cumberland county.

An act for the benefit of the Pleasureville, Bethlehem, and Kentucky River Turnpike Company.

An act to repeal an act, entitled "An act to amend the charter of the Bath and Montgomery County Associated Turnpike Road Company."

An act for the benefit of John P. Norvall, of Nicholas county.

An act for the benefit of W. L. Fitch, of Lewis county.

An act to amend an act, entitled "An act to authorize the Lewis county court to levy a tax to create a bridge fund for said county."

An act to amend an act, entitled "An act to incorporate the St. Bernard Coal Company."

An act to change the time of holding the quarterly courts in Floyd county.

An act authorizing the county court of Livingston county to levy an additional tax.

An act regulating the rate of freights and tolls on the Paris and North Middletown Turnpike Road.

An act to change the time of holding the November term of the Owen county court.

An act to enable the Louisville Pilots' Benevolent and Relief Association to wind up and discontinue its affairs.

An act to authorize the Hancock county court to increase the county levy for the year 1871.

An act for the benefit of Philip Cassity, present sheriff of Martin county.

An act for the benefit of E. P. Graves, of Fayette county.

An act for the benefit of T. M. Conditt, late sheriff of McLean county.

An act to incorporate the Lancaster, Fall Lick, and Mount Vernon Turnpike Road Company.

An act to amend the charter of the Louisville and Salt River Turnpike Road Company.

The House then took up and proceeded with the further consideration of a bill from the Senate, entitled

An act to incorporate the Kentucky Central Railroad Company.

The question being on the adoption of the following amendments moved by Mr. Furber on yesterday, viz:

In 1st section, 6th line, strike out the words "of which they are owners," and insert in lieu thereof these words: "which they claim."

By inserting after the words "exempted therefrom," in the 16th line, these words: "*Provided*, That any branches or extension of the present road hereafter constructed shall be subject to the provisions of said act, approved February 14, 1856; and all amendments to said original charter enacted since said act of 1856 shall alike be subject thereto."

Insert in the 18th line of same section, after the word "franchise," these words: "And should said questions be determined in favor of the plaintiff in said action, this act of incorporation, and all of the privileges herein granted, shall cease and be of no effect."

For the amendments so proposed by Mr. Furber, Mr. McKee moved the following substitute, viz:

Amend by striking out, in the 6th line, after the words "of which," the words "they are," and insert "they claim to be."

Strike out all after the word "thereof," in the 11th line, to and including the word "therefrom," in the 16th line; and insert after the word "franchises," in the 18th line, "and should such questions be determined against the claims of the persons hereby incorporated, this act to cease and have no effect."

The question being taken on the adoption of the said substitute for the amendments moved by Mr. Furber, it was decided in the affimative.

The yeas and nays being required thereon by Messrs. Wolf and Furber, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Bunch),	Ben. Hardin,	E. A. Pearson,
Silas Adams,	J. L. Hibbs,	W. H. Pettus,
P. W. Barron,	J. R. Hindman,	G. W. Quick,
Robert C. Beauchamp,	Elijah Hogan,	George W. Riddle,

D. M. Bowen,
Orlando C. Bowles,
E. Burr,
J. S. Chrisman,
Joseph M. Davidson,
Asbury Dawson,
D. E. Downing,
L. D. Good,
William Irwin, sr.,
James Kilgore,
Francis M. Lowe,
G. W. Little,
William J. McElroy,
George R. McKee,
James A. McKenzie,
Edward Myall,
Robert Simmons,
P. M. Thurmond,
J. L. Waring,
John F. Wight,
L. Wilson,
John Wolf,
S. M. Wrather—35.

Those who voted in the negative, were—

John W. Blue,
Howell Brewer,
William B. Caldwell,
Landon Carter,
James R. Claybrook,
A. T. Coffman,
I. B. Combs,
R. L. Cooper,
Thomas H. Corbett,
F. R. Davis,
N. C. Dille,
John Duvall,
M. W. Ferguson,
Ashton P. Harcourt,
J. B. Hays,
Thomas H. Hays,
R. E. Humphrey,
Elijah Hurst,
John W. Kendall,
James B. McCreary,
Mason Morris,
Thomas E. Moss,
Thomas H. Moss,
Joshua B. Parks,
Wm. S. Richart,
G. W. Silvertooth,
Henry H. Skiles,
Hugh H. York—28.

The question was then taken on the adoption of the amendments as amended, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. McCreary and Hays, were as follows, viz:

Those who voted in the affirmative, were—

Silas Adams,
P. W. Barron,
Rob't C. Beauchamp,
E. Burr,
J. S. Chrisman,
Asbury Dawson,
D. E. Downing,
John N. Furber,
L. D. Good,
Jas. R. Hindman,
Wm. J. McElroy,
George R. McKee,
James A. McKenzie,
Edward Myall,
W. H. Pettus,
W. V. Prather,
G. W. Quick,
Robert Simmons,
P. M. Thurmond,
John F. Wight,
L. Wilson,
John Wolf—22.

Those who voted in the negative, were—

Mr. SPEAKER (Bunch),
John W. Blue,
D. M. Bowen,
Orlando C. Bowles,
Howell Brewer,
William B. Caldwell,
Landon Carter,
James R. Claybrook,
A. T. Coffman,
I. B. Combs,
R. L. Cooper,
Thomas H. Corbett,
F. R. Davis,
N. C. Dille,
John Duvall,
M. W. Ferguson,
Clinton Griffith,
Ashton P. Harcourt,
J. B. Hays,
Thomas H. Hays,
J. L. Hibbs,
Elijah Hogan,
R. E. Humphrey,
Elijah Hurst,
Wm. Irwin, sr.,
John W. Kendall,
James Kilgore,
Francis M. Lowe,
G. W. Little,
James B. McCreary,
Mason Morris,
Joshua B. Parks,
E. A. Pearson,
William S. Richart,
G. W. Silvertooth,
Hugh H. York—36.

And so said amendment was rejected.

Mr. Lowe then moved the following amendments, viz:

Strike out all after the word "road," in line 20, to "including," and add: "*Provided*, Said road shall not be required to carry any single package for less than twenty-five cents."

In the 22d line strike out the word "ten," and insert the word "fifteen."

Which were adopted.

Ordered, That said bill, as amended, be read a third time.

Said bill was then read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That George H. Pendleton, John W. Stevenson, William Ernst, James C. Gedge, George P. Bowler, and Elliott H. Pendleton, their associates and successors, be, and are hereby, created a body-corporate and politic, under the name and style of the Kentucky Central Railroad Company, for the purpose of operating the Covington and Lexington Railroad, of which they are the owners by purchase, under judgment and order of sale of the Fayette circuit court; and shall have, and are hereby invested with, all the powers, privileges, rights, immunities, and franchises, subject to the restrictions and limitations contained in the original charter of incorporation authorizing the construction of said railroad, and the various acts amendatory thereof: *Provided*, Nothing in this act shall be held to subject the said powers, rights, immunities, and privileges purchased under judgment and order of sale of the Fayette circuit court, and hereby vested in the corporation by this act created, to the operation of the act, entitled "An act reserving the right to amend or repeal charters or other laws," approved February 14th, 1856, but the same are exempted therefrom: *And provided further*, That nothing herein contained shall be held to affect the determination of questions now in litigation concerning the ownership of said road and franchises: *And provided also*, That the rates to be hereafter charged by said company for the transportation of local or way freights over the said road, including car-load freights, shall not exceed the rates now fixed by the published tariff for local and way freights of said company, now in use, less fifteen per cent.; and a certified copy of said published tariff of charges shall be recorded in the offices of the county clerks respectively of Kenton, Pendleton, Harrison, and Bourbon counties, within ninety days after the passage of this act: *Provided*, Said road shall not be required to carry any single package for less than twenty-five cents.

§ 2. This act shall take effect from its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Wolf and Wight, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Bunch),	Asbury Dawson,	James Kilgore,
P. W. Barron,	N. C. Dille,	Francis M. Lowe,
Robt. C. Beauchamp,	D. E. Downing,	G. W. Little,
John W. Blue,	John Duvall,	James B. McCreary,
D. M. Bowen,	M. W. Ferguson,	William J. McElroy,
Orlando C. Bowles,	L. D. Good,	James A. McKenzie,
Howell Brewer,	Clinton Griffith,	Mason Morris,
William B. Caldwell,	Ashton P. Harcourt,	T. H. Moss,
Landon Carter,	J. B. Hays,	Joshua B. Parks,
J. S. Chrisman,	T. H. Hays,	E. A. Pearson,
James R. Claybrook,	J. L. Hibbs,	W. H. Pettus,
A. T. Coffman,	James R. Hindman,	G. W. Quick,
I. B. Combs,	Elijah Hogan,	Wm. S. Richart,
R. L. Cooper,	R. E. Humphrey,	George W. Silvertooth,
Thomas H. Corbett,	Elijah Hurst,	J. L. Waring,
Joseph M. Davidson,	William Irwin, sr.,	L. Wilson,
F. R. Davis,	John W. Kendall,	Hugh H. York—51.

Those who voted in the negative, were—

E. Burr,	Edward Myall,	P. M. Thurmond,
John N. Furber,	W. V. Prather,	John F. Wight,
George R. McKee,	Robert Simmons,	John Wolf—9.

Resolved, That the title of said bill be as aforesaid.

And then the House adjourned.

MONDAY, FEBRUARY 20, 1871.

Mr. Bowen presented the petition of citizens of Franklin county, praying for an act of incorporation to construct a turnpike road from Hughes' saw-mill to intersect the Clifton turnpike at Providence school-house.

Which was received, the reading dispensed with, and referred to the Committee on Internal Improvement.

Leave was given to bring in the following bills, viz:

On motion of Mr. Glass—

1. A bill for the benefit of Moore Pickle, of Henderson county.

On motion of Mr. DeMoss—

2. A bill to amend the charter of the Old State Road and Ripple Creek Turnpike Company, in Campbell county.

On motion of Mr. Furber—

3. A bill to amend an act, entitled "An act to regulate the sale and storage of illuminating oils made from coal, petroleum, or other bituminous substances, and for the better protection of life and property," approved 12th March, 1870.

Ordered, That the Committee on Revised Statutes prepare and bring in the 1st and 3d, and a select committee, consisting of Messrs. Cantrill, Wolf, and Jones, the 2d.

A message was received from the Senate, announcing that they had received official information that the Governor had approved and signed enrolled bills, which originated in the Senate, of the following titles, viz:

An act to amend an act, entitled "An act to repeal the charter and reincorporate the town of Elizabethtown, in Hardin county."

An act to amend the charter of the town of Danville.

An act to amend an act, entitled "An act to amend and reduce into one the several acts respecting the town of Hickman," approved March 10, 1854.

An act for the benefit of J. R. Sampson.

That they had passed bills, which originated in the House of Representatives, of the following titles, viz:

An act to amend an act, entitled "An act creating a sinking fund for Montgomery county," approved March 10th, 1856.

An act for the benefit of Nazareth Literary and Benevolent Institute and the Catholic congregation of Frankfort.

An act authorizing the trustees of the town of Shepherdsville to take stock in the Paroquet Springs Company.

An act to regulate the making of deeds in the Louisville chancery court.

An act to change the time of holding the Garrard quarterly courts.

An act to amend an act, entitled "An act to incorporate the Bardstown and Cedar Creek Turnpike Road Company."

And that they had passed bills of the following titles, viz:

1. An act for the benefit of Kentucky Farmers' Mutual Insurance Company.

2. An act to amend an act incorporating the Vanceburg Male and Female Academy.

3. An act to reduce into one, amend, and digest the acts and amendatory acts incorporating the city of Paris.

4. An act to amend the charter of the city of Ludlow.

5. An act to attach the county of Martin to the 16th judicial district.

6. An act to amend the 2d and 3d sections of an act, entitled "An act to establish the 16th judicial district," approved February 18, 1868, and to regulate the time for holding of the circuit courts therein.

7. An act to prohibit the sale of intoxicating liquors in Sonora, in Hardin county.

8. An act for the benefit of R. B. McCall, administrator of J. W. Riley, deceased.

Which were read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That they be referred—the 1st to the Committee on Insurance; the 2d to the Committee on Education; the 3d and 4th to the Committee on Corporate Institutions; the 5th and 6th to the Committee on Circuit Courts; the 7th to the Committee on Religion; and the 8th to the Committee on County Courts.

Mr. Hindman moved the following resolution, viz:

Resolved, That from and after to-day this House will convene at 9 o'clock, A. M., instead of 10 o'clock, A. M., and continue to do so for four days; and that the hour from 9 to 10 o'clock shall be consumed in local business exclusively.

The question being taken on the adoption thereof, it was decided in the negative.

And so said resolution was rejected.

Leave of absence, indefinitely, was granted Messrs. Blue, Corbett, and Terrell.

A message was received from the Senate, announcing that they had appointed a committee, to act in conjunction with a committee which they asked should be appointed by the House, to wait on the Governor and request him to return to the House, unsigned, a bill, which originated in the House of Representatives, and also passed the Senate, entitled

An act to amend an act, entitled "An act to amend and reduce into one the several acts concerning the town of Hopkinsville," approved March 5, 1870.

On motion, the House concurred in said request, and the Speaker appointed the following committee for that purpose, viz: Messrs. McKenzie, Dille, and Parks.

Mr. Bowles, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the Senate, of the following titles, viz:

An act for the benefit of James M. Bullock, of Laurel county;

An act for the benefit of the Deaf and Dumb Asylum at Danville;

An act for the benefit of the Kentucky Eastern Lunatic Asylum;

And also enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act for the benefit of William O. Mize;

An act to create the office of Superintendent of the Negro Paupers of Mercer county;

An act for the benefit of James W. Hannah, of Elliott county;

An act to amend the charter of the Alexandria and Flag Springs Turnpike Road Company, in Campbell county;

An act to amend the charter of the Newport and Licking Turnpike and Plank Road Company, and to authorize same to issue bonds;

An act for the benefit of the Germantown and Bridgeville Turnpike Road Company, in Bracken county;

An act for the benefit of J. S. Pitman and W. Frank Crawford, of Powell county;

An act declaring Lower Buffalo Creek, in Owsley county, a navigable stream, from its mouth to the mouth of the Road Fork of said creek;

And had found the same truly enrolled.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Bowles inform the Senate thereof.

Mr. Silvertooth, from the Committee on Circuit Courts, who were directed to prepare and bring in the same, reported

A bill to provide for the payment of grand and petit jurors of Mercer circuit court, at November term, 1870.

Which was read the first time as follows, viz:

Whereas, The grand jurors and petit and by-standing jurors of Mercer county, who served at the November term, 1870, of the Mercer circuit court, have received no compensation for services rendered at said term of said court, in consequence of the death of the Hon. Geo. W. Kavanaugh, circuit judge of said court, and presiding in person as judge of said court at said term of said court; now, in order that said grand, petit, and by-standing jurors may receive the amounts of money due each of them for said service,

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That, at the next regular term of the Mercer circuit court, the clerk of said court shall certify to the court the name, number of days of service, and amount that each grand, petit, and by-standing juror, who served at the said November term, 1870 of said court, is entitled to receive; and thereupon the court shall order the same to be certified to the Auditor of Public Accounts for payment, as by law he is now required to certify the same in cases of regular jurors; and the Auditor is directed to pay the claims of said jurors so certified out of any money in the Treasury not otherwise appropriated.

§ 2. This act shall take effect from its passage.

Ordered, That said bill be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon, in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker (Bunch),	N. C. Dille,	James Kilgore,
P. W. Barron,	D. E. Downing,	Francis M. Lowe,

J. F. Baugh,	John Duvall,	G. W. Little,
Rob't C. Beauchamp,	James P. Ford,	Wm. J. McElroy,
D. M. Bowen,	John N. Furber,	George R. McKee,
Orlando C. Bowles,	Robert T. Glass,	James A. McKenzie,
Howell Brewer,	L. D. Good,	T. H. Moss,
E. Burr,	Clinton Griffith,	Edward Myall,
J. S. Chrisman,	D. Hambleton,	W. H. Pettus,
James R. Claybrook,	Ashton P. Harcourt,	W. V. Prather,
A. T. Coffman,	J. B. Hays,	G. W. Quick,
Thomas T. Cogar,	T. H. Hays,	Wm. S. Richart,
I. B. Combs,	A. J. Hendrickson,	George W. Silvertooth,
R. L. Cooper,	J. L. Hibbs,	Henry H. Skiles,
Joseph M. Davidson,	James R. Hindman,	J. L. Waring,
F. R. Davis,	Elijah Hogan,	John F. Wight,
Asbury Dawson,	R. E. Humphrey,	L. Wilson,
J. C. DeMoss,	George M. Jessee,	S. M. Wrather,
George R. Diamond,	Alfred M. Jones,	Hugh H. York—57.

In the negative—none.

Resolved, That the title of said bill be as aforesaid.

A message was received from the Governor by Mr. Samuels, Assistant Secretary of State, announcing that he had approved and signed an enrolled bill, which originated in the House of Representatives, entitled

An act to amend the charter of the city of Cynthiana.

The House then took up for further consideration an unfinished order of Friday last, being a bill, entitled

A bill to increase the salary of the Insurance Commissioner.

On motion of Mr. Hindman, said bill was recommitted to the Committee on Insurance.

Mr. McKee, from a select committee, who were directed to prepare and bring in the same, reported

A bill to call a Convention to alter or reform the Constitution of this State, in pursuance of article 13, section 4, thereof.

Which was read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

On motion of Mr. McKee,

Ordered, That said bill be printed, and that the same be committed to a Committee of the Whole House on Tuesday, 28th inst., at 11 o'clock, A. M.

The House then took up for further consideration a bill from the Senate, entitled

An act to incorporate the Louisville Railway Transfer Company, and conferring certain powers in relation thereto on the Louisville, Cincinnati and Lexington, and Louisville and Nashville Railroad Companies.

Mr. Barret moved an amendment thereto.

On motion of Mr. Wight,

Ordered, That said bill and amendment be printed and placed in the orders of the day.

The House took up from the orders of the day and proceeded further with the consideration of a bill from the Senate, entitled

An act for the benefit of the Commercial Bank of Kentucky and Farmers' Bank of Kentucky.

Mr. Furber moved an amendment thereto.

On motion of Mr. Furber, said bill was recommitted to the Committee on Banks.

The House took up also from the orders of the day, and proceeded still further to consider, a bill from the Senate, entitled

An act to further protect the owners of stock living along the line of railways.

Said bill was recommitted to the Committee on Revised Statutes.

On motion of Mr. Dawson, leave was given to bring in a bill for the benefit of school district No. 3, in Simpson county.

Ordered, That the Committee on Education prepare and bring in the same.

Bills were reported by the several committees, who were directed to prepare and bring in the same, of the following titles, viz:

By Mr. Barron, from the Committee on Propositions and Grievances—

A bill for the benefit of H. W. Conway, of Nicholas county.

By same—

A bill to prohibit the sale of spirituous, vinous, or malt liquors in magistrates' district No. 2, in the county of Franklin.

Which were read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

Said bills were placed in the orders of the day, viz:

Mr. Barron, from the Committee on Propositions and Grievances, who were directed to prepare and bring in the same, reported

A bill for the benefit of M. C. Hughes, late sheriff of Gallatin county.

Which was read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

Said bill was then read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the Auditor of Public Accounts be directed to draw his warrant on the Treasurer in favor of M. C. Hughes, late sheriff of Gallatin county, for $157 34, being the amount of damages paid into the Treasury on the revenue of 1862 by him.

§ 2. This act shall take effect from its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon, in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Bunch),	J. C. DeMoss,	James Kilgore,
P. W. Barron,	D. E. Downing,	G. W. Little,
Alpheus W. Bascom,	John Duvall,	James B. McCreary,
J. F. Baugh,	John N. Furber,	William J. McElroy,
Rob't C. Beauchamp,	Robert T. Glass,	George R. McKee,
D. M. Bowen,	L. D. Good,	James A. McKenzie,
Orlando C. Bowles,	Clinton Griffith,	Thomas E. Moss,
Howell Brewer,	D. Hambleton,	Thomas H. Moss,
E. Burr,	Ashton P. Harcourt,	W. V. Prather,
J. S. Chrisman,	T. H. Hays,	Douglass L. Price,
Jas. R. Claybrook,	A. J. Hendrickson,	William S. Richart,
A. T. Coffman,	J. L. Hibbs,	Henry H. Skiles,
Thos. T. Cogar,	James R. Hindman,	J. L. Waring,
I. B. Combs,	Elijah Hogan,	John F. Wight,
R. L. Cooper,	George M. Jessee,	L. Wilson,
Joseph M. Davidson,	Alfred M. Jones,	S. M. Wrather,
F. R. Davis,	John W. Kendall,	Hugh H. York—52.
Asbury Dawson,		

Those who voted in the negative, were—

Edward Myall,	G. W. Quick,	G. W. Silvertooth—4.
W. H. Pettus,		

Resolved, That the title of said bill be as aforesaid.

Mr. Barron, from the same committee, who were directed to prepare and bring in the same, reported

A bill for the benefit of J. C. Calhoun, sheriff of McCracken county.

Which was read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be recommitted to the Committee on the Judiciary.

Mr. Silvertooth, from the Committee on Circuit Courts, to whom was referred a bill from the Senate, entitled

An act to change the time of holding the circuit courts in the 1st judicial district, and providing for the change of cases to courts of common pleas in certain cases,

Reported the same with an amendment thereto.

Said amendment was adopted.

Ordered, That said bill, as amended, be read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Barron, from the Committee on Propositions and Grievances, who were directed to prepare and bring in the same, reported

A bill to fix the liabilities of express companies.

Which was read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be recommitted to the Committee on Revised Statutes.

Bills from the Senate were reported, without amendment, by the committees to whom they had been referred, of the following titles, viz:

By Mr. Griffith, from the Committee on Corporate Institutions—

An act to amend the charter of the Blue Lick Turnpike Road Company.

By Mr. Silvertooth, from the Committee on Circuit Courts—

An act for the benefit of Richard Board, clerk of the Mercer circuit court.

Ordered, That said bills be read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Bills were reported by the several committees, who were directed to prepare and bring in the same, of the following titles, viz :

By Mr. Griffith, from the Committee on Corporate Institutions—

A bill to incorporate the Lafayette and New Providence Turnpike Road Company.

By same—

A bill to amend the charter of Bowling Green.

By Mr. Jones, from a select committee—

A bill to amend the charter of the Old State Road and Ripple Creek Turnpike Company.

By Mr. DeMoss, from the Committee on Ways and Means—

A bill to amend the act to incorporate the town of Bellevue, in Campbell county.

By same—

A bill to amend the charter of the city of Dayton, in Campbell county, and for other purposes.

By same—

A bill to define and extend the corporate limits of the city of Dayton, in Campbell county.

By same—

A bill to increase the jurisdiction of the mayor of the city of Dayton, in Campbell county.

By same—

A bill to amend the charter of the Newport and Licking Turnpike and Plank Road Company.

By Mr. DeMoss, from the Committee on Education—

A bill to authorize the city of Dayton, in Campbell county, to establish common school systems.

By Mr. Silvertooth, from a select committee—

A bill for the benefit of John A. Wilson, clerk of the Fulton county court.

By Mr. Silvertooth, from the Committee on Circuit Courts—

A bill to abolish the July term of the Mercer circuit court.

By same—

A bill to legalize second day's business of Mercer circuit court, November term, 1870.

By Mr. Combs, from the Committee on Internal Improvement—

A bill to amend the charter of the Dover and Minerva Turnpike Road Company, in Mason county.

By Mr. Barron, from the Committee on Propositions and Grievances—

A bill changing the boundary line between the counties of Laurel and Rockcastle.

By same—

A bill to prohibit stock from running at large in the town of Booneville, Owsley county, or within one half mile thereof.

By same—

A bill to except Clark county from the provisions of an act, entitled "An act in relation to submitting questions of taxation to a vote of the people."

By same—

A bill for the benefit of Nicholas county.

By same—

A bill for the benefit of E. B. Treadaway, sheriff of Owsley county.

By same—

A bill for the benefit of Asa Gilbert, former sheriff of Clay county, and to allow him to appoint a deputy for certain purposes.

By same—

A bill for the benefit of Nicholas Moore, of Lewis county.

By same—

A bill to prohibit the sale of intoxicating liquors along the line of certain turnpike roads in Washington county.

By Mr. Combs, from the same committee—

A bill for the benefit of Granville Evans, of Wolfe county.

By Mr. Hibbs, from the same committee—

A bill for the benefit of the citizens of Boston, in Whitley county.

By same—

A bill to change the boundary lines between the counties of Ohio and Butler.

By same—

A bill to amend an act, entitled "An act to alter and amend the road law in Livingston county."

By Mr. Wight, from the same committee—

A bill to amend the act, entitled "An act to incorporate the Shelbyville Cemetery Company," approved March 1, 1854.

By same—

A bill to repeal an act, entitled "An act to prevent the destruction of fish in Green river and its tributaries," so far as it applies to Rhode's creek, in Daviess county.

By same—

A bill to prohibit the sale of spirituous, vinous, or malt liquors in the town of Woodbury, in Butler county, and within one half mile of the corporate limits of said town.

By same—

A bill to incorporate the Shelbyville and Burk's Branch Turnpike Road Company.

By same—

A bill to prevent the sale of spirituous, vinous, or malt liquors in the town of Mt. Washington, Bullitt county.

By same—

A bill to repeal an act, entitled "An act for the benefit of Rockcastle county, in relation to roads and passways."

Which were read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

The Speaker laid before the House the following communication from the State Librarian, viz:

STATE LIBRARY, FRANKFORT, KY., Feb. 20, 1871.

HON. JOHN T. BUNCH, *Speaker House of Representatives:*

SIR: I have the honor to inform the House, that the portrait of the late Chief Justice Marshall has been received and placed in the room of the Court of Appeals, in accordance with resolution, &c.

Very respectfully, your obedient servant,

G. B. CRITTENDEN, *State Librarian.*

And then the House adjourned.

TUESDAY, FEBRUARY 21, 1871.

The Speaker of the House being absent, Hon. J. B. McCreary, the member from Madison county, was unanimously elected Speaker for the occasion; who thereupon took the Chair.

The following petitions were presented, viz:

By Mr. Price—

1. The petition of sundry citizens engaged in the "sewing machine" trade, praying the passage of an act regulating the license to be obtained for peddling the same.

By Mr. Humphrey—

2. The petition of citizens of McLean county, praying the passage of an act to allow John Erwin to retail wines, &c., in the town of Calhoon.

By Mr. Barron—

3. The petition of C. S. L. Mathews, praying to be attached to Cumberland county.

Which were received, the reading dispensed with, and referred, the 1st to the Committee on Revised Statutes, and the 2d and 3d to the Committee on Propositions and Grievances.

Leave was given to bring in the following bills, viz:

On motion of Mr. Price—

1. A bill to authorize the county court of Fayette county to appropriate money.

On motion of Mr. Pettus—

2. A bill to amend section 7 of an act, approved January 3, 1852, entitled "An act to incorporate the Commercial Bank of Paducah."

On motion of Mr. York—

3. A bill to allow the citizens of Knox county to vote a tax to erect public buildings.

On motion of Mr. Bowen—

4. A bill to increase the jurisdiction of the city judge of Frankfort.

On motion of Mr. T. E. Moss—

5. A bill to incorporate the Paducah and Woodville Gravel Road Company.

On motion of Mr. Carter—

6. A bill to authorize the extension of the Lawrenceburg and Van Buren Turnpike Road, from Camdensville to Mount Eden.

On motion of same—

7. A bill to charter the Rough and Ready and Camdensville Turnpike Company.

On motion of Mr. Richart—

8. A bill for the benefit of Clark and Montgomery counties.

Ordered, That the Committee on County Courts prepare and bring in the 1st and 4th; the Committee on Banks the 2d; the Committee on Internal Improvement the 5th, 6th, and 7th; the Committee on Propositions and Grievances the 8th; and a select committee, consisting of Messrs. Combs, Downing, Pettus, and Humphrey, the 3d.

Mr. Skiles moved the following joint resolution, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That the Governor be requested to have a salute fired on the 22d day of February, instant, by round of cannon answering to the number of States, in honor of the "Father of his Country," George Washington.

The rule being suspended, said resolution was taken up, twice read, and unanimously adopted.

Mr. McKenzie, from the joint committee heretofore appointed to wait on the Governor and to request him to return, unsigned, an enrolled bill, which had heretofore passed both Houses, entitled

An act to amend an act, entitled "An act to amend and reduce into one the several acts concerning the town of Hopkinsville," approved March 5, 1870,

Reported that they had discharged that duty; that the Governor had delivered the same unsigned to them, and which bill he then laid on the Clerk's table.

Thereupon, on motion of Mr. McKenzie,

Ordered, That a message be sent to the Senate, asking leave to withdraw therefrom the announcement of the passage by the House of said bill.

Which was accordingly delivered,

And a message returned from the Senate, announcing their wish to withdraw the announcement of the passage of the same by the Senate.

Which was granted.

Mr. McKenzie then moved to reconsider the vote by which said bill was passed by the House.

And the question being taken thereon, it was decided in the affirmative.

He then also moved to reconsider the vote by which said bill was ordered to be read a third time.

And the question being taken thereon, it was decided in the affirmative.

And so said votes were reconsidered.

Mr. McKee then moved an amendment to said bill, which was adopted.

Ordered, That said bill, as amended, be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

And the passage of said bill being communicated to the Senate, a message was thereafter received therefrom, announcing that they had passed said bill with an amendment.

Said amendment was then taken up and concurred in.

Mr. Quick, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to incorporate the Kentucky and Tennessee Railroad Company;

An act to incorporate the town of Sebree City, in Webster county;

An act to amend an act, entitled "An act to incorporate the town of Concordia;"

An act to incorporate the Dixon and Clayville Turnpike and Gravel Road Company, in Webster county;

An act to incorporate the Jacksonville and Townsend Turnpike Road Company;

An act to amend an act, entitled "An act to incorporate the Springfield, Willisburg, Antioch, and Fox Creek Turnpike Road Company;"

An act for the benefit of the present and future sheriffs of Bath county;

An act to regulate the times of holding circuit courts in the thirteenth judicial district;

An act to change the time of holding the monthly sessions of the Bracken county court;

An act to amend the charter of the city of Newport;

An act to amend the charter of the city of Newport;

An act to protect the manufacturers and bottlers of mineral water, ale, &c.;

An act to amend the charter of the Stanford and Milledgeville Turnpike Company;

And had found the same truly enrolled.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Quick inform the Senate thereof.

Mr. Wight having sent to the Clerk's table, and caused to be read, an extract from the letter of the correspondent of the "Cincinnati Daily Enquirer" of yesterday;

Thereupon Mr. Chrisman moved the following preamble and resolution, viz:

WHEREAS, A special correspondent of that sterling and valuable paper, the Cincinnati Enquirer, styling himself "Jake," has grossly abused the privileges of this House by scurrilous and defamatory reflections upon the character of the House, and individual members thereof; therefore, be it

Resolved, That the said correspondent "Jake" be, and he is hereby, excluded from the privileges of this House for the remainder of the session; and that the Sergeant-at-Arms and Door-keeper of the House inquire into the identity of said correspondent, and see that he does no more, for the time indicated above, come within this legislative hall.

Which were unanimously adopted.

Mr. T. E. Moss presented the petition of citizens of McCracken county, praying the passage of an act allowing real estate owners to vote a tax for the purpose of building a certain road.

Which was received, the reading dispensed with, and referred to the Committee on Internal Improvement.

Leave was given to bring in the following bills, viz:

On motion of Mr. Spalding—

1. A bill to change the time of holding the February term of the Marion circuit court.

On motion of same—

2. A bill for the benefit of Wm. J. Lile, of Marion county.

On motion of Mr. Furber—

3. A bill to amend the charter of the city of Covington.

On motion of Mr. DeMoss—

4. A bill to authorize the trustees of the town of Alexandria to change the location of an alley in said town.

On motion of same—

5. A bill for the benefit of Benjamin Beall, clerk of Campbell circuit court.

On motion of Mr. Cantrill—

6. A bill to incorporate the Big Eagle and Connersville Turnpike Road Company.

On motion of same—

7. A bill to incorporate the Parker's Mill, Stonewall, and Connersville Turnpike Road Company.

On motion of same—

8. A bill to incorporate the Gano Hill Turnpike Road Company.

On motion of Mr. Harcourt—

9. A bill for the benefit of school district No. 31, in Bullitt county.

On motion of Mr. Cantrill—

10. A bill to incorporate the Frankfort, Georgetown, and Paris Railroad Company.

Ordered, That the Committee on Revised Statutes prepare and bring in the 1st and 2d; the Committee on Ways and Means the 4th and 5th; the Committee on Corporate Institutions the 6th, 7th, and 8th; the Committee on Education the 9th; the Committee on Railroads the 10th; and a select committee, consisting of Messrs. Wolf, McKee, and DeMoss, the 3d.

A message was received from the Senate, announcing that they had received official information that the Governor had approved and signed enrolled bills, which originated in the Senate, of the following titles, viz:

An act to amend section 345, title 9, chapter 2, article 1, of the Civil Code of Practice.

An act to amend the charter of the town of Franklin.

An act for the benefit of the county of Fleming.

An act for the benefit of C. C. Harbin, jailer of Laurel county.

An act to incorporate the Caverna Deposit Bank.

That they had concurred in the adoption of a resolution from the House of Representatives, entitled

Resolution of instruction to certain committees of Senate and House of Representatives, with regard to supplying deficit in Sinking Fund.

That they had concurred in the amendments proposed by the House to bills, which originated in the Senate, of the following titles, viz:

An act to change the time of holding circuit courts in the first judicial district, and providing for the change of cases to courts of common pleas in certain cases.

An act to repeal the court of common pleas in the counties of Hickman, Fulton, Graves, and Marshall, in the first judicial district.

That they had disagreed to a bill, which originated in the House of Representatives, entitled

An act to amend section 636, subdivision 3, of article 2, chapter 3, of Civil Code of Practice.

That they had passed a bill, which originated in the House of Representatives, entitled

An act to amend section 2, article 1, of chapter 48, of the Revised Statutes, title "Idiots and Lunatics."

With an amendment thereto.

And that they had passed bills of the following titles, viz:

1. An act regulating corporations created by the laws of Kentucky.

2. An act to repeal an act, entitled "An act to re-enact an act, entitled 'An act regulating the time of holding the circuit courts,' approved March 5, 1856," approved February 25, 1870.

3. An act for the benefit of W. W. Montague.

Which were read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That they be referred—the 1st to the Committee on Corporate Institutions; the 2d to the Committee on Circuit Courts; and the 3d to the Committee on Claims.

On motion of Mr. Cooper, the House took up for further consideration a bill, entitled

A bill for the benefit of the Kentucky River Navigation Company and others,

The further consideration of said bill was postponed to, and made the special order of the day for, Wednesday, 1st March, at 11 o'clock, A. M.

A message was received from the Senate, announcing that they adhered to the amendment proposed by the Senate to a bill, which originated in the House of Representatives, entitled

An act to revise, digest, and compile the statute laws of this State.

On motion of Mr. McKenzie,

Ordered, That a message be sent to the Senate, asking for the appointment of a committee of conference on the said disagreement.

And the House having ordered the appointment of a committee for that purpose, Messrs. McKenzie, McKee, and Atherton were appointed thereon by the Speaker.

Mr. Wight, from the Committee on Propositions and Grievances, who were directed to prepare and bring in the same, reported

A bill to provide for licensing engineers of machinery run by steam within the county of Jefferson and the city of Louisville.

Which was read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Pending the consideration of said bill, the hour arrived for taking up a special order.

The House then, according to order, took up for further consideration

A bill authorizing and directing the sale of the interest and stock owned by the State of Kentucky in turnpike roads or turnpike road companies.

The question was then taken on the substitute moved by Mr. Phister for the amendment of Mr. Wolf, as amended, and it was decided in the negative.

The amendment moved by Mr. Wolf, as amended, is as follows, viz:

Add to 3d section: "*Provided*, That the Governor shall appoint three Commissioners, who shall be duly sworn, and, under oath, shall proceed to value all such stocks before being offered for sale; and in case said stocks shall not bring their appraised value, they shall not be sold until such times as they will bring their appraised value: *And provided further*, That the Commissioners of the Sinking Fund shall not sell any of the State stock until they shall have ascertained what it can be sold for per share, and reported the same to the General Assembly for approval."

The question was then taken on the adoption of said amendment, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Wolf and Wight, were as follows, viz:

Those who voted in the affirmative, were—

Silas Adams,	N. C. Dille,	Mason Morris,
P. W. Barron,	John N. Furber,	Thomas E. Moss,
Alpheus W. Bascom,	J. B. Hays,	Edward Myall,

J. F. Baugh,	A. J. Hendrickson,	W. H. Pettus,
Robert C. Beauchamp,	J. L. Hibbs,	Douglass L. Price,
Landon Carter,	Elijah Hurst,	G. W. Quick,
J. S. Chrisman,	William Irwin, sr.,	L. Wilson,
I. B. Combs,	George M. Jessee,	John Wolf,
R. L. Cooper,	Francis M. Lowe,	Hugh H. York—29.
F. R. Davis,	G. W. Little,	

Those who voted in the negative, were—

William Adair,	John Duvall,	George R. McKee,
J. M. Atherton,	M. W. Ferguson,	James A. McKenzie,
W. F. Barret,	James P. Ford,	Thomas H. Moss,
D. M. Bowen,	L. D. Good,	Joshua B. Parks,
Orlando C. Bowles,	Clinton Griffith,	E. A. Pearson,
Howell Brewer,	D. Hambleton,	W. V. Prather,
E. Burr,	Ashton P. Harcourt,	Wm. S. Richart,
William B. Caldwell,	Thomas H. Hays,	George W. Riddle,
James R. Claybrook,	J R. Hindman,	G. W. Silvertooth,
A. T. Coffman,	Elijah Hogan,	Henry H. Skiles,
Thomas T. Cogar,	R. E. Humphrey,	R. M. Spalding,
Joseph M. Davidson,	Alfred M. Jones,	J. L. Waring,
Asbury Dawson,	John W. Kendall,	A. D. Weller,
J. C. DeMoss,	James Kilgore,	John F. Wight,
George R. Diamond,	James B. McCreary,	S. M. Wrather—46.
D. E. Downing,		

And so said amendment was rejected.

Mr. Wight then offered the following amendment to said bill, viz:

Provided, That no sale of stock shall be made under the provisions of this act until a careful estimate of the saleable value of all the stock owned by the State in each of the several roads in which the State is interested, shall have been made by the Commissioners of the Sinking Fund, and a minimum price fixed upon the stock in each, below which no sale shall be made, and which price shall be such as to insure to the State the realization of at least two hundred thousand dollars for her entire property in turnpike roads.

Mr. Furber then offered a substitute for the amendment of Mr. Wight, which was rejected.

Mr. Hindman then offered the following substitute for the amendment offered by Mr. Wight, viz:

Provided, That said Commissioners shall not sell the State stock in any turnpike road in this State for a sum, the interest on which would be less than the last annual dividend derived from the same road, and that, in case they fail to sell the State stock in any turnpike road for the sum above specified, they shall report to the Legislature of the State the highest and best bid had for the same.

And the question being taken on the adoption of the said substitute, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Wolf and Hindman, were as follows, viz:

Those who voted in the affirmative, were—

P. W. Barron,	Thomas H. Hays,	Mason Morris,
Alpheus W. Bascom,	A. J. Hendrickson,	Edward Myall,
J. F. Baugh,	Jas. R. Hindman,	W. V. Prather,
J. S. Chrisman,	Elijah Hogan,	Douglass L. Price,
R. L. Cooper,	Elijah Hurst,	G. W. Quick,
J. C. DeMoss,	G. W. Little,	Henry H. Skiles,
D. E. Downing,	J. J. McAfee,	John Wolf,
John N. Furber,	Wm. J. McElroy,	Hugh H. York—24.

Those who voted in the negative, were—

William Adair,	Geo. R. Diamond,	George R. McKee,
J. M. Atherton,	N. C. Dille,	James A. McKenzie,
Wm. F. Barret,	John Duvall,	Thomas E. Moss,
Rob't C. Beauchamp,	M. W. Ferguson,	Thomas H. Moss,
D. M. Bowen,	James P. Ford,	Joshua B. Parks,
Orlando C. Bowles,	L. D. Good,	W. H. Pettus,
Howell Brewer,	D. Hambleton,	William S. Richart,
E. Burr,	Ashton P. Harcourt,	George W. Riddle,
James E. Cantrill,	R. E. Humphrey,	G. W. Silvertooth,
James R. Claybrook,	Wm. Irwin, sr.,	Richard M. Spalding,
A. T. Coffman,	Alfred M. Jones,	J. L. Waring,
Thomas T. Cogar,	John W. Kendall,	A. D. Weller,
I. B. Combs,	James Kilgore,	John F. Wight,
Joseph M. Davidson,	Francis M. Lowe,	L. Wilson,
F. R. Davis,	James B. McCreary,	S. M. Wrather—46.
Asbury Dawson,		

And so said substitute was rejected.

Mr. Price then moved to strike out the word "two," in the amendment moved by Mr. Wight, and insert the word "three."

And the question being taken thereon, it was decided in the negative.

The question was then taken on the adoption of Mr. Wight's amendment, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Wolf and Cooper, were as follows, viz:

Those who voted in the affirmative, were—

William Adair,	George R. Diamond,	J. J. McAfee,
J. M. Atherton,	D. E. Downing,	James B. McCreary,
Wm. F. Barret,	John Duvall,	William J. McElroy,
P. W. Barron,	M. W. Ferguson,	George R. McKee,
Alpheus W. Bascom,	James P. Ford,	James A. McKenzie,
J. F. Baugh,	John N. Furber,	Thomas E. Moss,
Robt. C. Beauchamp,	L. D. Good,	Thomas H. Moss,
Orlando C. Bowles,	D. Hambleton,	Edward Myall,

Howell Brewer,	Ashton P. Harcourt,	Joshua B. Parks,
E. Burr,	J. B. Hays,	E. A. Pearson,
William B. Caldwell,	A. J. Hendrickson,	W. H. Pettus,
James E. Cantrill,	J. L. Hibbs,	W. V. Prather,
Landon Carter,	James R. Hindman,	G. W. Quick,
James R. Claybrook,	Elijah Hogan,	Richard M. Spalding,
A. T. Coffman,	R. E. Humphrey,	J. L. Waring,
Thomas T. Cogar,	William Irwin, sr.,	John F. Wight,
Joseph M. Davidson,	John W. Kendall,	L. Wilson,
Asbury Dawson,	Francis M. Lowe,	S. M. Wrather,
J. C. DeMoss,	G. W. Little,	Hugh H. York—57.

Those who voted in the negative, were—

D. M. Bowen,	T. H. Hays,	Wm. S. Richart,
J. S. Chrisman,	Elijah Hurst,	George W. Riddle,
I. B. Combs,	Alfred M. Jones,	George W. Silvertooth,
R. L. Cooper,	James Kilgore,	Henry H. Skiles,
F. R. Davis,	Mason Morris,	A. D. Weller,
N. C. Dille,	Douglass L. Price,	John Wolf—18.

And so said amendment was adopted.

Mr. Barron moved an amendment, which was adopted.

Mr. Chrisman moved the following amendment to said bill, viz:

Add thereto, "that all the moneys arising from the proceeds of said sales, or so much thereof as may be necessary, shall be applied to the payment of such of the State debt as may now be due, and the balance, if any, deposited with the Treasurer of the State to the credit of the Sinking Fund."

The question was taken on the adoption of said amendment, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Chrisman and Bascom, were as follows, viz:

Those who voted in the affirmative, were—

P. W. Barron,	Elijah Hogan,	E. A. Pearson,
Alpheus W. Bascom,	Elijah Hurst,	W. V. Prather,
J. F. Baugh,	G. W. Little,	G. W. Quick,
J. S. Chrisman,	J. J. McAfee,	Henry H. Skiles,
Ashton P. Harcourt,	James B. McCreary,	L. Wilson,
J. B. Hays,	Wm. J. McElroy,	John Wolf,
A. J. Hendrickson,	Mason Morris,	Hugh H. York—23.
Jas. R. Hindman,	Edward Myall,	

Those who voted in the negative, were—

William Adair,	F. R. Davis,	John W. Kendall,
J. M. Atherton,	Asbury Dawson,	James Kilgore,
Wm. F. Barret,	J. C. DeMoss,	Francis M. Lowe,
Robert C. Beauchamp,	George R. Diamond,	George R. McKee,
D. M. Bowen,	N. C. Dille,	Thomas E. Moss,
Orlando C. Bowles,	D. E. Downing,	Thomas H. Moss,

Howell Brewer,	John Duvall,	Joshua B. Parks,
William B. Caldwell,	M. W. Ferguson,	W. H. Pettus,
James E. Cantrill,	James P. Ford,	William S. Richart,
Landon Carter,	L. D. Good,	George W. Riddle,
James R. Claybrook,	D. Hambleton,	G. W. Silvertooth,
A. T. Coffman,	T. H. Hays,	R. M. Spalding,
Thomas T. Cogar,	J. L. Hibbs,	J. L. Waring,
I. B. Combs,	R. E. Humphrey,	A. D. Weller,
R. L. Cooper,	William Irwin, sr.,	John F. Wight—47.
Joseph M. Davidson,	Alfred M. Jones,	

And so said amendment was rejected.

Ordered, That said bill, as amended, be engrossed and read a third time.

Said bill being engrossed, was read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the Commissioners of the Sinking Fund be, and they are hereby, authorized and directed to sell all the stock which belongs to the State of Kentucky, in all the turnpike roads or turnpike road companies within the State, in which the State owns or is entitled to stock or any claim whatever on account of advances or appropriations heretofore made and expended on such roads.

§ 2. That all sales herein contemplated shall be made in such manner and at such time or times, and for such price or prices, and on such terms and conditions, and for such payments or installments, bearing interest from date of sale, all to be payable within, or less than ten years, from the date of sale, as in the discretion of said commissioners will secure the highest price and best promote the interest of the State.

§ 3. That in making the sales herein contemplated the said commissioners shall give preference and first make an effort to sell to the county court or county courts of the county or counties in which the said roads may be respectively situated; but if such county court or courts shall fail to purchase the stock in such roads as are situated therein, on such terms and conditions, and for such price as may be approved by said commissioners, then the said commissioners shall sell and dispose of the same as aforesaid, to the best advantage of the State, to other persons or corporations; but if the sale be made to other persons or corporations, the same shall be upon a credit of not more than five years.

§ 4. That all obligations taken by said commissioners for deferred payments shall be made payable to the "Commissioners of the Sinking Fund of Kentucky," and bear interest from date, at the rate of six per centum per annum, payable annually, and be secured by a lien on the stock for which such obligations may be executed.

§ 5. That after the payment in full of the purchase price and interest thereon, all purchasers of stock sold under the provisions of this act shall be entitled to have and receive from said commissioners a full acquittance and transfer of the same, which shall be signed by

the Governor, and be attested by the Auditor of Public Accounts, showing the amount or number of shares of stock sold, and the amount paid for the same.

§ 6. That in all cases the purchaser of the stock, from the date of such purchase and the delivery of a certificate thereof, shall represent the same, and exercise the same voice in the election of officers and management of said roads, as if the amount of stock so held and acquired had originally been issued to them; such purchasers taking the place of and superseding all State proxies to the extent of the stock thus acquired and represented by them.

§ 7. That, in order to facilitate the sale of the stock and the discharge of the duties imposed upon the Commissioners of the Sinking Fund by this act, said commissioners are hereby authorized, in their discretion, to appoint one or more agents, and to fix his or their compensation for services and pay the same: *Provided, however*, That no agreement or contract made by such agent or agents shall be binding until it has been approved by said commissioners.

§ 8. That after paying such expenses as may be incurred in selling the stock herein contemplated, the net proceeds thereof shall be paid into the Treasury, and be placed to the credit of the Sinking Fund.

§ 9. That all bonds and obligations executed by purchasers of stock shall be kept and filed in the Auditor's office.

§ 10. That the Franklin circuit court shall have jurisdiction of all suits that may be brought therein by said commissioners, to coerce the payment of any bond or obligation which may be executed under the provisions of this act; and also to enforce or foreclose any and all liens which may be retained to secure the same: *Provided, however*, That no sale of stock shall be made under the provisions of this act until a careful estimate of the saleable value of all the stock owned by the State in each of the several roads in which the State is interested shall have been made by the Commissioners of the Sinking Fund, and a minimum price fixed upon the stock in each, below which no sale shall be made; and which price shall be such as to insure to the State the realization of at least two hundred thousand dollars for her entire property in turnpike roads: *And provided further*, That the provisions of this act shall not annul, nor in any way impair, an act, entitled "An act to amend an act incorporating the Columbia and Burksville Turnpike Road Company," approved February 16, 1866.

§ 11. This act shall take effect from and after its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Carter and Cooper, were as follows, viz:

Those who voted in the affirmative, were—

William Adair,	Joseph M. Davidson,	James B. McCreary,
J. M. Atherton,	Asbury Dawson,	George R. McKee,
Wm. F. Barret,	J. C. DeMoss,	James A. McKenzie,

P. W. Barron,	George R. Diamond,	T. E. Moss,
Robert C. Beauchamp,	D. E. Downing,	Thomas H. Moss,
D. M. Bowen,	John Duvall,	Joshua B. Parks,
Orlando C. Bowles,	M. W. Ferguson,	E. A. Pearson,
Howell Brewer,	James P. Ford,	W. V. Prather,
E. Burr,	L. D. Good,	William S. Richart,
William B. Caldwell,	D. Hambleton,	George W. Riddle,
James E. Cantrill,	J. B. Hays,	George W. Silvertooth,
Landon Carter,	R. E. Humphrey,	Richard M. Spalding,
James R. Claybrook,	Alfred M. Jones,	J. L. Waring,
A. T. Coffman,	John W. Kendall,	A. D. Weller,
Thomas T. Cogar,	James Kilgore,	John F. Wight,
I. B. Combs,	Francis M. Lowe,	S. M. Wrather—48.

Those who voted in the negative, were—

Silas Adams,	A. J. Hendrickson,	Mason Morris,
Alpheus W. Bascom,	J. L. Hibbs,	Edward Myall,
J. F. Baugh,	James R. Hindman,	W. H. Pettus,
J. S. Chrisman,	Elijah Hogan,	Douglass L. Price,
R. L. Cooper,	Elijah Hurst,	G. W. Quick,
F. R. Davis,	William Irwin, sr.	Henry H. Skiles,
N. C. Dille,	George M. Jessee,	L. Wilson,
John N. Furber,	G. W. Little,	John Wolf,
Ashton P. Harcourt,	J. J. McAfee,	Hugh H. York—29.
T. H. Hays,	William J. McElroy,	

Resolved, That the title of said bill be as aforesaid.

Mr. Bowles moved to reconsider the vote by which said bill was passed.

Mr. Davidson moved to lay the motion of Mr. Bowles on the table.

And the question being taken on the motion of Mr. Davidson, it was decided in the affirmative.

The House then, according to order, took up for further consideration a bill, entitled

A bill authorizing and empowering county courts to purchase from Commissioners of the Sinking Fund stock in turnpike roads belonging to the State of Kentucky.

Mr. Richart moved an amendment to said bill.

Mr. Combs moved to lay the bill and amendment on the table.

And the question being taken on the motion of Mr. Combs, it was decided in the negative.

Mr. Furber then moved to recommit the bill and amendment to the Committee on the Sinking Fund.

And the question being taken on the motion of Mr. Furber, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Furber and Wolf, were as follows, viz :

Those who voted in the affirmative, were—

Silas Adams,	A. J. Hendrickson,	Wm. S. Richart,
Alpheus W. Bascom,	G. W. Little,	John F. Wight,
J. S. Chrisman,	Wm. J. McElroy,	L. Wilson,
I. B. Combs,	Mason Morris,	John Wolf,
R. L. Cooper,	Edward Myall,	Hugh H. York—17.
John N. Furber,	G. W. Quick,	

Those who voted in the negative, were—

William Adair,	J. C. DeMoss,	John W. Kendall,
J. M. Atherton,	George R. Diamond,	James Kilgore,
Wm. F. Barret,	N. C. Dille,	Francis M. Lowe,
P. W. Barron,	D. E. Downing,	James B. McCreary,
J. F. Baugh,	John Duvall,	George R. McKee,
Rob't C. Beauchamp,	M. W. Ferguson,	James A. McKenzie,
D. M. Bowen,	James P. Ford,	T. E. Moss,
Orlando C. Bowles,	L. D. Good,	T. H. Moss,
Howell Brewer,	D. Hambleton,	Joshua B. Parks,
E. Burr,	Ashton P. Harcourt,	W. H. Pettus,
William B. Caldwell,	J. B. Hays,	W. V. Prather,
James E. Cantrill,	T. H. Hays,	Douglass L. Price,
Landon Carter,	J. L. Hibbs,	George W. Riddle,
James R. Claybrook,	James R. Hindman,	George W. Silvertooth,
A. T. Coffman,	Elijah Hogan,	R. M. Spalding,
Thomas T. Cogar,	R. E. Humphrey,	J. L. Waring,
Joseph M. Davidson,	Wm. Irwin, sr.,	A. D. Weller,
F. R. Davis,	George M. Jessee,	S. M. Wrather—56.
Asbury Dawson,	Alfred M. Jones,	

The question was then taken on the adoption of the amendment moved by Mr. Richart, and it was decided in the negative.

Ordered, That said bill be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Davidson moved to reconsider the vote by which said bill was passed.

Mr. Diamond moved to lay the motion of Mr. Davidson on the table.

And the question being taken on the motion of Mr. Diamond, it was decided in the affirmative.

Mr. Cooper moved the following resolution, which, being twice read, was adopted.

Resolved, That the use of this Hall be allowed to Rev. A. B. Cabaniss, of Virginia, long a Missionary to China, on to-morrow evening, to deliver a lecture on China and the Chinese.

And then the House adjourned.

WEDNESDAY, FEBRUARY 22, 1871.

Mr. Bowles, from the Committee on Enrollments, reported that the committee had examined an enrolled resolution and bills, which originated in the House of Representatives, of the following titles, viz:

Resolution of instruction to certain committees of the Senate and House of Representatives, with regard to supplying deficit in Sinking Fund, &c.;

An act to amend an act, entitled "An act creating a sinking fund for Montgomery county," approved March 10th, 1856;

An act for the benefit of Nazareth Literary and Benevolent Institute and the Catholic congregation of Frankfort;

An act authorizing the trustees of the town of Shepherdsville to take stock in the Paroquet Springs Company;

An act to regulate the making of deeds in the Louisville chancery court;

An act to change the time of holding the Garrard quarterly courts;

An act to amend an act, entitled "An act to incorporate the Bardstown and Cedar Creek Turnpike Road Company;"

And also enrolled bills, which originated in the Senate, of the following titles, viz:

An act to amend the charter of the Blue Lick Turnpike Road Company;

An act to change the time of holding the circuit courts in the 1st judicial district, and providing for the change of cases to courts of common pleas in certain cases;

An act to repeal the court of common pleas in the counties of Hickman, Fulton, Graves, and Marshall, in the First Judicial District;

An act for the benefit of Richard Board, clerk of the Mercer circuit court;

And had found the same truly enrolled.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Bowles inform the Senate thereof.

On motion of Mr. Richart, leave was given to bring in a bill to amend and reduce into one the several acts relating to the charter and amendments thereto, of the town of Mt. Sterling.

Ordered, That a select committee, consisting of Messrs. Richart, Weller, and Cantrill, prepare and bring in the same.

A message was received from the Senate, announcing that they had passed a bill, entitled

An act to authorize the Fayette county court to pay out of the county funds the expenses of certain officers incurred in the United States district and circuit courts.

The rule requiring its reference to a committee being suspended, said bill was taken up, read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Adams read and laid on the table the following joint preamble and resolutions, viz:

WHEREAS, We believe that the restoration of civil and political privileges at this time to all those now resting under them, by reason of any laws or constitutions whatsoever, can bring no detriment to the nation nor injury to the people; therefore,

Be it resolved by the General Assembly of the Commonwealth of Kentucky, That we respectfully request the Congress of the United States to pass a law of general amnesty, removing from all those engaged in the late civil war in opposition to the General Government, all civil and political disabilities under which they may rest by reason of any oaths, laws, or constitutions whatsoever.

Resolved, That the Secretary of State be requested to forward a copy of these resolutions to the Speaker of both Houses of Congress, to be read before that body.

The rule being suspended, the said preamble and resolutions were taken up, twice read, and unanimously adopted.

The said preamble and resolutions being communicated to the Senate; after a time, a message was received therefrom, announcing their concurrence therein, with an amendment, proposing to strike therefrom in the preamble the word "nation," and insert in lieu thereof, the words "Federal Government."

The said amendment having been taken up by the House, it was concurred in.

A message was received from the Senate, announcing that they had concurred in the adoption of a resolution from the House of Representatives, entitled

Resolution requesting the Governor to have a salute fired on the 22d of February.

That they had concurred in the amendments proposed by this House to a bill, which originated in the Senate, entitled

An act to incorporate the Kentucky Central Railroad Company.

And that they had passed bills of the following titles, viz:

1. An act to amend the charter of the Deposit Bank of Eminence.

2. An act to amend the charter of the Danville and Pleasant Hill Turnpike Road Company.

3. An act to declare when the railroad taxes shall be paid over to the Commissioners of the Sinking Fund in Boyle county.

4. An act to attach the counties of Elliott and Lee to the 34th Senatorial District.

5. An act to amend the charter of the Paducah and Gulf Railroad Company.

Which were read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That they be referred—the 1st to the Committee on Banks; the 2d to the Committee on Internal Improvement; the 3d and 5th to the Committee on Railroads; and the 4th to the Committee on Privileges and Elections.

Mr. Price presented the petition of Thomas Mehan, praying to be released from the payment of a tax for peddling.

Which was received, the reading dispensed with, and referred to the Committee on Codes of Practice.

The Speaker laid before the House the Report of the Trustees of the Institution for the Blind.

[*For Report—See Legislative Document No.* 14]

Ordered, That the Public Printer print the usual number of copies thereof for the use of the General Assembly, and one thousand copies for the use of the Institution.

A message was received from the Governor by Mr. Samuels, Assistant Secretary of State, which was taken up and read as follows, viz:

STATE OF KENTUCKY, EXECUTIVE DEPARTMENT,
FRANKFORT, February 22, 1871.

Gentlemen of the Senate and House of Representatives:

I have the honor to lay before you the special report of the Commissioners of the Sinking Fund, upon the subject of the late burning and rebuilding in the State Penitentiary.

P. H. LESLIE.

To the General Assembly of the Commonwealth of Kentucky:

As Messrs. Haly & Brawner are asking an appropriation from your honorable body for work done and material furnished by them in rebuilding the houses destroyed by fire in the State prison, the Commissioners of the Sinking Fund deem it proper to make the following report in relation to the contract therefor, and fulfillment of the same:

The fire originated in that part of the building known as the hemp-house and rope manufactory, destroying about half of the same and the machinery therein, on the 1st day of October, 1870. As a large number of the convicts were engaged in this department, and could not be otherwise employed, justice both to the State and the Keeper of the Penitentiary required that the damages incurred should be repaired as speedily as possible.

By reference to Acts 1867, volume 1, page 105, act approved 9th March, 1867, it will be seen that it is the duty of the Commissioners of the Sinking Fund, when the General Assembly is not in session, in the event of fire or fires occurring in the Penitentiary, to cause to be erected, as soon as practicable, such other permanent and suitable buildings as they may deem best for the interest of the State, not exceeding in cost ten thousand dollars, and to make such deduction from the annual sum to be paid by the Keeper as they may deem

equitable and just, for the loss of the use of the buildings, subject to the ratification of the Legislature.

In view of these duties imposed upon them, the Commissioners at once solicited proposals, and the bid of Messrs Haly & Brawner being the lowest, was accepted. The bid of these contractors for the work proposed to be done amounted to *fourteen thousand nine hundred and ninety-four dollars*, to be completed according to the plans and specifications furnished by C. S. Mergell, architect, and to be done under his supervision.

As the Commissioners could not, under the law, expend a larger amount than ten thousand dollars, they only agreed to pay the contractors that sum, and it was expressly stipulated in the contract that Messrs. Haly & Brawner were to look to the Legislature to make an appropriation to meet any further excess.

We herewith submit to you the report of the Architect and Superintendent, C. S. Mergell, to this Board, in relation to the completion of said building, and also a report of a sub-committee of the Commissioners of the Sinking Fund, who were appointed to examine the buildings, and see whether or not the specifications and plans were complied with. These two reports, and the accompanying papers, will give you all the information which we have upon the subject.

Most respectfully,

P. H. LESLIE,
SAMUEL B. CHURCHILL,
JAMES W. TATE,
JOHN RODMAN,
D. HOWARD SMITH,
Commissioners of the Sinking Fund.

REPORT OF C. S. MERGELL, ARCHITECT.

FRANKFORT, KY., January 15, 1871.

To His Excellency GOVERNOR STEVENSON, *Chairman Board of Commissioners of Sinking Fund:*

DEAR SIR: The undersigned, architect employed by Board of Commissioners of Sinking Fund to draw specifications and supervise erection of newly rebuilt portion of hemp-house of State prison, respectfully submits the following report:

The contract for rebuilding having been awarded to Messrs. Haly & Brawner, said gentlemen have shown a remarkable energy and ability as builders in filling their obligations, and, favored by Providence with uncommonly fair weather during the late season of the year 1870, have succeeded in giving full satisfaction in both main conditions of contract, to erect this large building in a very short space of time. The taking down of such walls as were required by fire, cleaning of brick and removing of rubbish of remainder of burned building, was commenced on the 1st of November, and the rebuilding on the 5th of said month; the progress of work was pushed forward so rapid, that the entire building was under roof, and a large portion ready for use, on the 14th of December, and the entire, with the exception of connection of steam pipes with b iler, finished for use on the 20th day of December, 1870. The connection with boiler was delayed a few days, for the reason that the boiler had to undergo some repairs. Some deviations from original specifications were made in execution, on the request of Keeper of prison, which added practicability of arrangement, without causing extra charges.

1. The old partition wall between hemp store and rope factory was taken down and rebuilt 26 feet further south, thus enlarging "hackle-house" over hemp store, which was too small before.

2. Iron door in third story of said partition wall was made larger, and of two folds instead of one.

3. It was found, during progress of building, that there was *no necessity* to take down the west wall of hemp-house as far as had been specified, said wall having been less damaged by fire than it was first supposed.

The saving of material and labor by item 3d was considered as a fair offset for additional labor and material contained in items 1 and 2. A change of material was also made in quality of flooring boards; old building had a pine floor of inferior quality, called third-rate staff, and, being informed that much complaint had arisen from the practice of prisoners to take off their shoes during the hot season, and running splinters in their feet, and that a poplar wood would answer better, said floors were, by mutual agreement, made of a well-seasoned and selected poplar, being of same market value as third-rate pine; no addition or deduction from contracted sum was made.

I further respectfully state the following: Before writing specifications, I was referred by your honorable body to Captain Todd, the present Keeper of prison, for information. I learned of him that a part of the first floor of hemp-house had been of clay and the other part wood. By perusal of specifications you will find that it reads, "a tramped clay floor to be made for first story of hemp-house, in same style as it was before;" and at end of specifications it is said, "the entire building to be finished, complete in all parts, *except where otherwise* specified, in same manner as it was before burning down, &c."

I must admit that was an error on my part to specify a tramped clay floor for hemp store, as this part ought to have been a "wood floor" and the other part "tramped clay."

It is fair to presume that contractors, "bidding in competition, had no right to estimate for a wood floor, under the above specifications, for the hemp store, and, therefore, no loss to the State has been caused by this error. I found a contrariety of opinion existing between the present Keeper, Captain Todd, whose term will soon expire, and the future Keeper, Colonel South. The former gentleman holds that he does not desire a wood floor for hemp store, for the reason that the hollow space under floor would give a chance to prisoners to hide and escape through the sewer in immediate neighborhood of this part of building; while Colonel South desires a wood floor. I would respectfully recommend, that if a wood floor be necessary, it should be constructed without joists, of two-inch plank (poplar) laid in sand, thus avoiding hollow space under the floor. The cost of such floor I estimate to the sum of $320.

In regard to Messrs. Haly & Brawner's contract, it is my opinion that they have filled their parts of agreement.

I remain, very respectfully,

Your obedient servant,

C. S. MERGELL.

[COPY.]

REPORT OF CHURCHILL AND TATE TO COMMISSIONERS OF SINKING FUND.

To the Commissioners of the Sinking Fund:

The report of C. S. Mergell, architect, having been referred to the undersigned by the Commissioners of the Sinking Fund, we will state,

that we proceeded to examine the buildings recently erected upon the Penitentiary grounds by Messrs. Haly & Brawner, under contract with your honorable body, and will remark, that it is impossible for us to say whether or not the contract was fully complied with upon the part of the contractors, as we could not obtain possession of the plans referred to in the specifications which were laid before us. We went in person to examine the buildings just erected; but as the specifications in our possession referred to plans which we could not see, we could not tell whether or not the work was done in accordance with said plans. For instance (and this will illustrate the whole), the specifications, among other things, say, that walls shall be taken down according to red lines on plan; but as we could not see the plan, of course we could not tell whether or not the work was done in strict compliance with contract.

Under these difficult circumstances we summoned before us Mr. Mergell, the architect, employed by the Board to superintend the work, and read him the specifications item by item, and his answers corresponded with his report made to the Board.

We present to you a statement furnished us by Mr. Mergell, marked "A," showing price of extra work done and deductions for work not done; showing a small balance of five dollars and eighty cents in favor of extra work done.

Under all the circumstances of the case, we recommend the Commissioners either to adopt the report of their own superintendent, or to appoint some practical mechanic to see whether the report of your superintendent is a true and correct statement of facts. We think the latter suggestion would be attended with some expense and great delay; but we respectfully submit the whole subject for your action and consideration.

Respectfully,

SAMUEL B. CHURCHILL,
JAMES W. TATE.

(A.)

[copy.]

Hemp-house, State Prison—Estimate of Cost of Changes, &c.

Extra work done by Haly & Brawner:

Removal and rebuilding of partition wall between hemp-house and rope factory—excavation of 20 cubic yards, at 50 cents - - - - - - - - - - - - - - - - -	$10 00
Brick-work—58 feet×3 feet=174×42 bricks=7,308 bricks; 58 feet×11 feet 7 inches=671×28 bricks=18,788 bricks; together amounting to 26,096 bricks in cement, at $6 -	156 57
Enlargement of iron door - - - - - - - - - - - - - - - -	25 00
Total amount - - - - - - - - - - - - - - - - -	$191 57

Deduction for work not executed:

West wall, 60 feet×10 feet=600×28 bricks=16,800; 137 feet×2 feet=274×28 bricks=7,672; 4 buttresses, 17 feet by 10 feet=56½×28 bricks=1,582; together amounting to 26 054 bricks in common mortar, at $5 - - -	$130 27
East wall, 30 feet×6 feet=180 bricks; 10 feet×15 feet=150 bricks; 330×28=9,240 bricks in cement; at $6 - - -	55 44
	$185 71

Ordered, That the usual number of copies of said report be printed for the use of the General Assembly, and that the same be referred to the Committee on the Penitentiary.

Mr. Bowles, from the Committee on Enrollments, reported that the committee had examined an enrolled bill, which originated in the Senate, entitled

An act to incorporate the Kentucky Central Railroad Company;

And had found the same truly enrolled.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Bowles inform the Senate thereof.

Mr. McKenzie, one of the members appointed on the committee of conference upon the disagreement of the two Houses in regard to the amendment proposed by the Senate to a bill, which originated in the House, entitled "An act to revise, digest, and compile the statute laws of this State," being absent,

Ordered, That Mr. Silvertooth be added thereto in place of Mr. McKenzie.

Mr. Price, from the Committee on Charitable Institutions, to whom was recommitted a bill from the Senate, entitled

An act for the benefit of the State House of Reform,

Reported the same without amendment.

Mr. McElroy moved the following amendments thereto, viz:

Strike out the words "forty-five," and insert in lieu thereof the words "twenty-five."

Strike out the words "two dwellings," and insert in lieu thereof the words "one dwelling."

Mr. McKenzie called for a division of the question.

The question being taken on striking out the words named in the amendment, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. McElroy and Brewer, were as follows, viz:

Those who voted in the affirmative, were—

William Adair,	D. E. Downing,	Mason Morris,
Silas Adams,	John Duvall,	Edward Myall,
J. M. Atherton,	L. D. Good,	W. H. Pettus,
P. W. Barron,	D. Hambleton,	G. W. Quick,
Alpheus W. Bascom,	Ashton P. Harcourt,	William S. Richart,
Rob't C. Beauchamp,	J. B Hays,	G. W. Silvertooth,
Howell Brewer,	A. J. Hendrickson,	George W. Terrell,
J. S. Chrisman,	J. L. Hibbs,	A. D. Weller,
A. T. Coffman,	Elijah Hogan,	L. Wilson,
I. B. Combs,	Elijah Hurst,	John Wolf,
F. R. Davis,	G. W. Little,	S. M. Wrather,
Asbury Dawson,	James B. McCreary,	Hugh H. York—38.
J. C. DeMoss,	William J. McElroy,	

Those who voted in the negative, were—

Wm. F. Barret,	John N. Furber,	Thomas H. Moss,
D. M. Bowen,	Robert T. Glass,	Joshua B. Parks,
Orlando C. Bowles,	T. H. Hays,	E. A. Pearson,
E. Burr,	James R. Hindman,	W. V. Prather,
William B Caldwell,	R. E. Humphrey,	Douglass L. Price,
James E. Cantrill,	William Irwin, sr.,	George W. Riddle,
Landon Carter,	Alfred M. Jones,	Robert Simmons,
Thos. T. Cogar,	James Kilgore,	R. M. Spalding,
R. L. Cooper,	Francis M. Lowe,	J. L. Waring,
Joseph M. Davidson,	James A. McKenzie,	John F. Wight—32.
James P. Ford,	Thomas E. Moss,	

And so the House decided to strike out said words.

Mr. Atherton moved to reconsider the vote by which said words were ordered to be stricken out.

And the question being taken on the motion of Mr. Atherton, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Bowles and McElroy, were as follows, viz:

Those who voted in the affirmative, were—

Wm. F. Barret,	John N. Furber,	T. E. Moss,
D. M. Bowen,	Robert T. Glass,	Thomas H. Moss,
E. Burr,	T. H. Hays,	Joshua B. Parks,
William B. Caldwell,	James R. Hindman,	E. A. Pearson,
Landon Carter,	Elijah Hogan,	W. V. Prather,
James R. Claybrook,	R. E. Humphrey,	Douglass L. Price,
Wm. Irwin, sr.,	Wm. Irwin, sr.,	George W. Riddle,
R. L. Cooper,	Alfred M. Jones,	Robert Simmons,
Joseph M. Davidson,	James Kilgore,	Richard M. Spalding,
George R. Diamond,	Francis M. Lowe,	J. L. Waring,
M. W. Ferguson,	James B. McCreary,	John F. Wight—35.
James P. Ford,	James A. McKenzie,	

Those who voted in the negative, were—

William Adair,	Asbury Dawson,	William J. McElroy,
Silas Adams,	N. C. Dille,	Mason Morris,
J. M. Atherton,	D. E. Downing,	Edward Myall,
P. W. Barron,	John Duvall,	W. H. Pettus,
A. W. Bascom,	L. D. Good,	G. W. Quick,
Robert C. Beauchamp,	D. Hambleton,	William S. Richart,
Howell Brewer,	Ashton P. Harcourt,	George W. Terrell,
James E. Cantrill,	J. B. Hays,	L. Wilson,
J. S. Chrisman,	A. J. Hendrickson,	John Wolf,
A. T. Coffman,	J. L. Hibbs,	S. M. Wrather
I. B. Combs,	Elijah Hurst,	Hugh H. York—34.
F. R. Davis,		

And so said vote was reconsidered.

Mr. McKenzie then withdrew, by consent of the House, his call for a division of the question.

The amendment moved by Mr. McElroy was then adopted.

Ordered, That said bill, as amended, be read a third time.

Said bill was then read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That for the purpose of inclosing the grounds and completing the present building, and to erect two additional or family houses of sufficient capacity to accommodate from thirty to forty boys each, and to furnish the present building and the two proposed buildings with the necessary bedding and furniture, to erect a building for work-shops, and to purchase tools for the same, and such farming utensils as will be actually necessary to put the institution in working order, the sum of forty-five thousand dollars is hereby appropriated.

§ 2. That the Treasurer is hereby directed to pay to the commissioners, upon the warrant of the Auditor, the aforesaid sum, in the manner as directed in the act, entitled "An act to establish the State House of Reform for Juvenile Delinquents," approved 15th February, 1869: *Provided*, Said commissioners shall execute bond, as provided in said act.

§ 3. This act shall take effect from and after its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon, in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

William Adair,	D. E. Downing,	Mason Morris,
J. M. Atherton,	John Duvall,	Thomas E. Moss,
William F. Barret,	M. W. Ferguson,	Thomas H. Moss,
P. W. Barron,	James P. Ford,	Edward Myall,
Alpheus W. Bascom,	John N. Furber,	Joshua B. Parks,
Robert C. Beauchamp,	Robert T. Glass,	E. A. Pearson,
D. M. Bowen,	L. D. Good,	W. V. Prather,
Orlando C Bowles,	D. Hambleton,	Douglass L. Price,
Howell Brewer,	Ashton P. Harcourt,	G. W. Quick,
E. Burr,	J. B. Hays,	William S. Richart,
William B. Caldwell,	Thomas H. Hays,	George W. Riddle,
James E. Cantrill,	J. L. Hibbs,	Robert Simmons,
Landon Carter,	James R. Hindman,	Henry H. Skiles,
J. S. Chrisman,	Elijah Hogan,	Richard M. Spalding,
Thomas T. Cogar,	R. E. Humphrey,	George W. Terrell,
I. B. Combs,	William Irwin, sr.,	J. L. Waring,
R. L. Cooper,	Alfred M. Jones,	John F. Wight,
Joseph M. Davidson,	James Kilgore,	L. Wilson,
F. R. Davis,	Francis M. Lowe,	John Wolf,
Asbury Dawson,	William J. McElroy,	S. M. Wrather,
George R. Diamond,	James A. McKenzie,	Hugh H. York—64.
N. C. Dille,		

Those who voted in the negative, were—

Silas Adams,	A. J. Hendrickson,	W. H. Pettus,
A. T. Coffman,	James B. McCreary,	A. D. Weller—6.

Resolved, That the title of said bill be as aforesaid.

The House then, according to order, took up for further consideration a bill, entitled

A bill to facilitate the sale of produce.

On motion of Mr. Barret, said bill was recommitted to the Committee on Revised Statutes.

The House, according to order, took up for further consideration a bill, entitled

A bill appropriating fifty-five thousand dollars for fire-proof offices in the city of Frankfort.

Mr. Adams moved an amendment to said bill, which was adopted.

Ordered, That said bill, as amended, be engrossed and read a third time.

Said bill being engrossed, was then read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the sum of fifty-five thousand dollars be, and the same is hereby, appropriated, out of any moneys in the Treasury not otherwise appropriated, to be paid in current funds, for the purpose of finishing the apartments and fire-proof rooms for the offices of the State, required by law to be kept at the Seat of Government, now in the course of construction in the city of Frankfort.

§ 2. That the Commissioners, out of the money above appropriated, pay the debt of ten thousand dollars, contracted by them by borrowing from the banks, and expended on the building, and such outstanding debts incurred by them in the prosecution of said work as they may deem just and proper; and the balance to be applied by them to the finishing of the apartments and fire-proof offices aforesaid, and to no other purpose: *Provided*, That the Commissioners to expend and control the money hereby appropriated for finishing the fire-proof offices, shall consist of the Governor of this State, and two other members to be recommended by the Governor, and confirmed by the Senate, who shall have power to employ an architect or superintendent of the work, to make all necessary contracts for the same, to determine the style and character of the work to be done upon said building; but in no case are they authorized to expend, or contract to expend, more money than is hereby appropriated.

§ 3. This act to take effect from its passage.

The question was then taken on the passage of said bill, and it was decided in the negative, a constitutional majority not having voted therefor.

The yeas and nays being required thereon, in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

J. M. Atherton,	D. E. Downing,	Edward Myall,
D. M. Bowen,	M. W. Ferguson,	Joshua B. Parks,
Orlando C. Bowles,	James P. Ford,	E. A. Pearson,
Howell Brewer,	John N. Furber,	W. V. Prather,
William B. Caldwell,	Clinton Griffith,	Wm. S. Richart,
Landon Carter,	D. Hambleton,	George W. Riddle,
James R. Claybrook,	Thomas H. Hays,	G. W. Silvertooth,
Thomas T. Cogar,	J. L. Hibbs,	Robert Simmons,
I. B. Combs,	Elijah Hogan,	R. M. Spalding,
R. L. Cooper,	William Irwin, sr.,	J. L. Waring,

F. R. Davis, Alfred M. Jones, John F. Wight,
J. C. DeMoss, James Kilgore, John Wolt—38.
N. C. Dille, Francis M. Lowe,

Those who voted in the negative, were—

William Adair, John Duvall, James A. McKenzie,
Silas Adams, L. D. Good, Mason Morris,
P. W. Barron, Ashton P. Harcourt, W. H. Petrus,
Alpheus W. Bascom, J. B. Hays, G. W. Quick,
Robert C. Beauchamp, A. J. Hendrickson, Henry H. Skiles,
E. Burr, J R. Hindman, George W. Terrell,
James E. Cantrill, R. E. Humphrey, A. D. Weller,
J. S. Chrisman, G. W. Little, L. Wilson,
A. T. Coffman, James B. McCreary, S. M. Wrather,
Joseph M. Davidson, William J. McElroy, Hugh H. York—31.
Asbury Dawson,

And so said bill was rejected.

Mr. Davidson moved to reconsider the vote by which said bill was rejected.

Mr. Combs moved to lay the motion of Mr Davidson on the table.

Before decision thereon, the hour for taking a recess, under the resolution heretofore adopted, arrived.

The House, at 3 o'clock, P. M., again assembled.

The House took up the amendment proposed by the Senate to a bill, which originated in the House of Representatives, entitled

An act to incorporate the Paducah Hook and Ladder Company.

Said amendment was concurred in.

Mr. Griffith, from the Committee on Corporate Institutions, to whom was recommitted a bill, entitled

A bill to incorporate a Steam Ferry Company at the mouth of the Ohio river, in Ballard county,

Reported the same without amendment.

Ordered, That said bill be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Bills were reported by the several committees, who were directed to prepare and bring in the same, of the following titles, viz:

By Mr. Price, from the Committee on Charitable Institutions—

A bill for the benefit of J. S. Randall, of Whitley county.

By same—

A bill to incorporate Odd Fellows' Hall Company in the town of Nicholasville.

By Mr. Griffith, from the Committee on Corporate Institutions—

A bill to amend the charter of the city of Paducah.

By same—

A bill to amend the charter of the Paducah Chephna Eshunun Burial Society.

By Mr. Cogar, from the Committee on Internal Improvement—

A bill to incorporate the Paducah and Woodville Gravel Road Company.

By Mr. Silvertooth, from the Committee on Circuit Courts—

A bill to change and fix the time of holding the common pleas court in McCracken and Ballard counties.

By Mr. Barron, from the Committee on Propositions and Grievances—

A bill to define and locate the county line between Breathitt and Lee counties, near the store-house of J. & W. R. Crawford.

By same—

A bill to establish C. L. S. Mathews as a citizen of Cumberland county.

By same—

A bill explanatory of "An act to regulate the sale of intoxicating drinks in Hawesville and its vicinity," approved March 21, 1870.

By same—

A bill for the benefit of Clark and Montgomery counties.

By Mr. Wight, from the same committee—

A bill to repeal an act, entitled "An act for the benefit of the citizens of Williamsburg, in Whitley county."

By same—

A bill to amend an act, entitled "An act to incorporate the Simpsonville and Antioch Turnpike Road Company."

By same—

A bill to mark and define the boundary line between the counties of Muhlenburg and McLean.

By Mr. Richart, from a select committee—

A bill to amend and reduce into one the several acts relating to the charter and amendments thereto of the town of Mt. Sterling.

Which were read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Barron, from the Committee on Propositions and Grievances, who were directed to prepare and bring in the same, reported

A bill for the benefit of S. B. Huey, of Boone county.

Which was read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Said bill was placed in the orders of the day.

Mr. Barron, from the Committee on Propositions and Grievances, who were directed to prepare and bring in the same, reported

A bill to protect owners of land in Carroll and Gallatin counties from trespasses.

Which was read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Mr. T. H. Hays moved an amendment thereto, which was adopted.

Ordered, That said bill, as amended, be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be so amended as to read,

An act to protect owners of land in Carroll, Hardin, and Gallatin counties from trespasses.

Mr. Wight, from the Committee on Propositions and Grievances, who were directed to prepare and bring in the same, reported

A bill to prevent the sale of spirituous, vinous, or malt liquors in the town of DeMossville, in Pendleton county.

Which was read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Mr. DeMoss moved an amendment thereto, which was adopted.

Ordered, That said bill, as amended, be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Wight, from the Committee on Propositions and Grievances, to whom was recommitted a bill, entitled

A bill to repeal certain acts relative to the Louisville and Taylorsville Turnpike Road Company, and to amend the charter of the same,

Reported the same without amendment.

Ordered, That said bill be engrossed and read a third time.

Said bill being engrossed, was read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That an act, entitled "An act to continue in force an act, entitled 'An act to amend the charter of the Louisville and Taylorsville Turnpike Road Company,'" approved March 5th, 1868, be, and the same is hereby, repealed; and, as in the original charter, passed March 1st, 1848, each share of stock to the number of ten shall entitle the owner to one vote in the election of officers of said company.

§ 2. Before the treasurer of said company shall proceed to act, he shall execute a covenant to the said corporation, with good security, to be approved by the board of directors, to faithfully account for all money that may come to his hands by virtue of his office; and upon the failure of the president and directors to take such covenant, they shall be jointly and severally liable to the stockholders for any loss they may sustain by reason thereof.

§ 3. The treasurer shall deposit monthly the receipts of the road, in some good and responsible bank, to the credit of the Louisville and Taylorsville Turnpike Road Company, and it shall be checked out only in his official capacity for the benefit of the company; and his checks shall be countersigned by the secretary before being honored. He shall settle his accounts with the board of directors every three months, and upon failure to settle, after due notice given, the board of directors shall forthwith appoint a receiver to take charge of the receipts of the road, who shall give covenant also as required of the treasurer. Said president and directors shall compel the treasurer and his sureties to pay over any money in his hands, or deficit shown, instituting suit therefor if necessary.

§ 4. The president and directors shall distribute the dividends semi-annually in the months of January and July of each year.

§ 5. The offices of treasurer and secretary shall not be united in, and held by one and the same person.

§ 6. The salaries of the president, directors, secretary, and treasurer, shall be fixed by a majority of the stockholders, either in person, by *viva voce*, or by proxies, at their annual elections.

§ 7. All acts or parts of acts inconsistent or in conflict with this act are hereby repealed.

§ 8. This act to take effect from its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

Mr. Bowen moved to reconsider the vote by which said bill was passed.

And the question being taken thereon, it was decided in the affirmative.

And so said vote was reconsidered.

The question was again taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Parks and Barret, were as follows, viz:

Those who voted in the affirmative, were—

Silas Adams,	Asbury Dawson,	George R. McKee,
J. M. Atherton,	J. C. DeMoss,	Edward Myall,
P. W. Barron,	George R. Diamond,	W. H. Pettus,
Robt. C. Beauchamp,	John N. Furber,	Wm. S. Richart,
E. Burr,	Robert T. Glass,	Robert Simmons,
James E. Cantrill,	L. D. Good,	Richard M. Spalding,
Landon Carter,	Ashton P. Harcourt,	J. L. Waring,
J. S. Chrisman,	A. J. Hendrickson,	A. D. Weller,
James R. Claybrook,	J. L. Hibbs,	John F. Wight,
I. B. Combs,	Elijah Hogan,	John Wolf,
Joseph M. Davidson,	R. E. Humphrey,	S. M. Wrather,
F. R. Davis,	William J. McElroy,	Hugh H. York—36.

Those who voted in the negative, were—

William Adair,	M. W. Ferguson,	Joshua B. Parks,
Wm. F. Barret,	J. B. Hays,	E. A. Pearson,
J. F. Baugh,	William Irwin, sr.,	G. W. Quick,
D. M. Bowen,	James Kilgore,	George W. Riddle,
William B. Caldwell,	James B. McCreary,	George W. Silvertooth,
R. L. Cooper,	Mason Morris,	George W. Terrell—19.
N. C. Dille,		

Resolved, That the title of said bill be as aforesaid.

Mr. Pettus, from the Committee on Privileges and Elections, to whom was referred a bill from the Senate, entitled

An act to amend an act, entitled "An act to amend the 3d section, 2d article, 32d chapter, of the Revised Statutes,"

Reported the same with a substitute therefor, by way of amendment.

Said amendment was adopted.

Ordered, That said bill, as amended, be read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be so changed as to read,

An act authorizing county courts to alter or establish election precincts and places of voting therein.

Leave was given to bring in the following bills, viz:

On motion of Mr. Chrisman—

1. A bill to allow all persons, without distinction of color, to testify in the courts of this Commonwealth, with the consent of the parties in interest.

On motion of Mr. T. H. Hays—

2. A bill to amend section 1, chapter 99, of the Revised Statutes.

On motion of Mr. Lowe—

3. A bill granting State aid to turnpike roads in this Commonwealth.

On motion of Mr. Carter—

4. A bill for the benefit of P. H. Oliver, late sheriff of Anderson county.

On motion of Mr. Atherton—

5. A bill to amend the charter of the town of Hodgenville, in Larue county.

On motion of same—

6. A bill prohibiting officers of this State from taking fees to procure or prevent the passage of any measure before the General Assembly.

On motion of Mr. Hendrickson—

7. A bill to charter the Crick's Run and Stout's Landing Turnpike Road Company.

On motion of same—

8. A bill to require turnpike road companies in Lewis county to make annual settlements with the county judge.

On motion of Mr. Wilson—

9. A bill for the benefit of Martin Rice, of Hopkins county.

On motion of Mr. DeMoss—

10. A bill to authorize the city of Newport, in Campbell county, to purchase certain real estate.

On motion of same—

11. A bill to incorporate the trustees of the Baptist Church in Alexandria, Campbell county.

On motion of Mr. Harcourt—

12. A bill authorizing the county judge of Spencer county to appoint trustees for the town of Taylorsville when vacancies occur.

On motion of Mr. Good—

13. A bill for the benefit of negro and mulatto paupers, idiots, and lunatics.

On motion of same—

14. A bill for the benefit of Lincoln county.

Ordered, That the Committee on Revised Statutes prepare and bring in the 1st, 2d, 6th, and 13th; the Committee on Internal Improvement the 3d; the Committee on Propositions and Grievances the 4th; the Committee on Privileges and Elections the 5th; the Committee on Corporate Institutions the 7th and 8th; the Committee on Claims the 9th; the Committee on Ways and Means the 10th, 11th, and 14th; and the Committee on County Courts the 12th.

And then the House adjourned.

THURSDAY, FEBRUARY 23, 1871.

The following petitions were presented, viz:

By Mr. Dawson—

1. The petition of citizens of Simpson county, praying the passage of an act requiring publication of sales by sheriffs, &c., in a newspaper printed in said county.

By Mr. York—

2. The petition of citizens of Josh Bell county, praying the establishment of an additional voting place in said county.

By Mr. Hogan—

3. The petition of citizens of Gallatin county, praying a change of the boundary lines of Carroll and Gallatin.

By Mr. Brewer—

4. The petition of citizens of Owsley county, praying a change of the boundary lines between Clay and Owsley counties.

By Mr. Diamond—

5. The petition of citizens of Pike county, praying the passage of an act to change the boundary lines between Pike and Martin counties.

By Mr. Bowles—

6. The petition of citizens of Pike and Floyd counties, praying that John's creek, in Floyd and Pike counties, be declared a navigable stream.

By same—

7. The petition of citizens of Floyd county, asking to be attached to Pike county.

Which were received, the reading dispensed with, and referred—the 1st, 2d, 3d, 4th, 5th, and 7th to the Committee on Propositions and Grievances, and the 6th to the Committee on Internal Improvement.

Leave was given to bring in the following bills, viz:

On motion of Mr. Ferguson—

1. A bill for the benefit of Mary E. Francis.

On motion of Mr. Bright—

2. A bill for the benefit of the county judge of Carroll county.

On motion of Mr. Wight—

3. A bill to incorporate the Farmers' Club of Shelby county.

On motion of same—

4. A bill to amend an act, entitled "An act to amend an act, entitled 'An act to amend the charter of the Shelbyville Railroad Company, and to authorize certain counties to take stock in the same,'" approved March 11, 1870.

On motion of Mr. Griffith—

5. A bill to amend the charter of the Owensboro and Russellville Railroad.

On motion of Mr. Furber—

6. A bill to provide compensation for the clerk of the Kenton circuit court in criminal cases.

Ordered, That the Committee on the Judiciary prepare and bring in the 1st, 2d, and 3d; the Committee on Railroads the 4th and 5th; and the Committee on Revised Statutes the 6th.

Mr. Bowles, from the Committee on Enrollments, reported that the committee had examined an enrolled bill, which originated in the Senate, entitled

An act requiring railroad companies to keep open their ticket offices during one hour immediately next before the departure of their trains, in cases where tickets are required before entering the cars;

And also an enrolled bill and resolutions, which originated in the House of Representatives, of the following titles, viz:

An act to amend an act, entitled "An act to amend and reduce into one the several acts concerning the town of Hopkinsville," approved March 5, 1870;

Resolution requesting the Governor to have a salute fired on the 22d of February;

Resolution in relation to removal of political disabilities;

And had found the same truly enrolled.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Bowles inform the Senate thereof.

A message was received from the Senate, announcing that they had concurred in the amendments proposed by the House to a bill, which originated in the Senate, entitled

An act for the benefit of the State House of Reform.

That they had passed bills, which originated in the House of Representatives, of the following titles, viz:

An act concerning the titles of John C. King, H. J. Lewis and brother, and E. H. Bland, to certain real estate formerly owned by Lizardi Brothers, in the city of Louisville, State of Kentucky.

An act to authorize Capital Lodge, No. 6, I. O. O. F., at Frankfort, to issue bonds.

An act to incorporate the Lafayette and New Providence Turnpike Road Company.

An act to amend the charter of the Newport and Licking Turnpike and Plank Road Company.

An act to abolish the July term of the Mercer circuit court.

An act to provide for the payment of grand and petit jurors of Mercer circuit court, at November term, 1870.

An act to legalize second day's business of Mercer circuit court, November term, 1870.

An act to amend the charter of the Dover and Minerva Turnpike Road Company, in Mason county.

An act changing the boundary line between the counties of Laurel and Rockcastle.

An act for the benefit of Nicholas county.

An act to prohibit the sale of intoxicating liquors along the line of certain turnpike roads in Washington county.

An act for the benefit of the citizens of Boston, in Whitley county.

An act to amend an act, entitled "An act to alter and amend the road law in Livingston county."

An act to incorporate the Shelbyville and Burk's Branch Turnpike Road Company.

An act to repeal an act, entitled "An act for the benefit of Rockcastle county, in relation to roads and passways."

And that they had passed bills of the following titles, viz:

1. An act to authorize the county court of Butler county to issue bonds to raise the necessary funds to build a court-house.

2. An act to print sheriffs and master commissioners' advertisements of land sales in Carroll county, in paper printed in said county.

3. An act concerning the advertisement of sheriffs' and commissioners' sales of land in Bath county.

4. An act to incorporate the town of Sanders, in Gallatin county.

5. An act to amend the charter of the Owenton and Clay Lick Turnpike Road Comany.

6. An act to incorporate the town of Milledgeville, in Lincoln county.

7. An act declaring a portion of Round Stone creek, in Rockcastle county, navigable.

8. An act to incorporate the Woodford Railroad Company.

Which were read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That they be referred—the 1st, 2d, and 3d to the Committee on County Courts; the 4th and 6th to the Committee on Corporate Institutions—the 5th and 7th to the Committee on Internal Improvement; and the 8th to the Committee on Railroads.

A message was received from the Senate, announcing that they had agreed to, and had appointed a committee of conference upon the subject of a disagreement of the two Houses in regard to the amendment proposed by the Senate, to a bill which originated in the House of Representatives, entitled

An act to revise, digest, and compile the statute laws of this State.

The House then took up the amendments proposed by the Senate, to a resolution adopted by the House, entitled

Resolution requesting Insurance Commissioner to make investigation of the affairs of certain insurance companies.

Said amendments were concurred in.

Mr. Glass moved the following resolution, viz:

Resolved, That from and after the 24th inst., the daily sessions of this House shall begin at 9 o'clock, A. M., and end at 1½ o'clock, P. M.; but at 12 o'clock, M., there shall be a call for reports of standing committees, as under the present rule.

Mr. Richart moved an amendment thereto, which was rejected.

Said resolution was then adopted.

Mr. Bowles, from the Committee on Enrollments, reported that the committee had examined an enrolled bill, which originated in the Senate, entitled

An act for the benefit of the State House of Reform;

And had found the same truly enrolled.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Bowles inform the Senate thereof.

A message was received from the Governor by Mr. Samuels, Assistant Secretary of State, announcing that he had approved and signed enrolled bills and a resolution, which originated in the House of Representatives, of the following titles, viz:

An act to regulate the making of deeds in the Louisville chancery court.

An act to amend an act, entitled "An act creating a sinking fund for Montgomery county," approved March 10th, 1856.

An act for the benefit of Nazareth Literary and Benevolent Institute and the Catholic congregation of Frankfort.

An act to change the time of holding the Garrard quarterly courts.

An act authorizing the trustees of the town of Shepherdsville to take stock in the Paroquet Springs Company.

An act to amend an act, entitled "An act to incorporate the Bardstown and Cedar Creek Turnpike Road Company."

An act for the benefit of J. S. Pitman and W. Frank Crawford, of Powell county.

An act to amend the charter of the Alexandria and Flag Springs Turnpike Road Company, in Campbell county.

An act for the benefit of William O. Mize.

An act declaring Lower Buffalo Creek, in Owsley county, a navigable stream, from its mouth to the mouth of the Road Fork of said creek,

An act for the benefit of James W. Hannah, of Elliott county.

An act for the benefit of the Germantown and Bridgeville Turnpike Road Company, in Bracken county.

An act to incorporate the town of Sebree City, in Webster county.

An act to incorporate the Kentucky and Tennessee Railroad Company.

An act to amend the charter of the Newport and Licking Turnpike and Plank Road Company, and to authorize same to issue bonds.

An act to incorporate the Jacksonville and Townsend Turnpike Road Company.

An act to amend the charter of the city of Newport.

An act to create the office of Superintendent of the Negro Paupers of Mercer county.

An act to incorporate the Dixon and Clayville Turnpike and Gravel Road Company, in Webster county.

An act to amend an act, entitled "An act to incorporate the Springfield, Willisburg, Antioch, and Fox Creek Turnpike Road Company."

An act to amend the charter of the city of Newport.

An act to regulate the times of holding circuit courts in the thirteenth judicial district.

An act to protect the manufacturers and bottlers of mineral water, ale, &c.

An act to amend the charter of the Stanford and Milledgeville Turnpike Company.

An act for the benefit of the present and future sheriffs of Bath county.

An act to change the time of holding the monthly sessions of the Bracken county court.

Resolution of instruction to certain committees of the Senate and House of Representatives, with regard to supplying deficit in Sinking Fund, &c.

Bills were reported by the several committees, who were directed to prepare and bring in the same, of the following titles, viz :

By Mr. Hindman, from the Committee on Corporate Institutions—

A bill to amend the town charter of Tompkinsville, in Monroe county.

By Mr. Duvall, from the Committee on County Courts—

A bill to change the time of holding the Ohio county quarterly court.

By same—

A bill to authorize R. S. Mosely to make a cross-index to the suits of the Ohio county quarterly court.

By Mr. Hibbs, from the Committee on Propositions and Grievances—

A bill to amend the charter of the town of Cromwell, in Ohio county.

By same—

A bill to amend an act to regulate the sale and storage of illuminating oils, as far as same applies to Ohio county.

Which were read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

The House, according to order, resumed the consideration of a bill, entitled

A bill to provide for the improvement of Tradewater river, and the pending amendment thereto.

Mr. McCreary, with leave of the House, withdrew from the files an amendment, which he had notified the House he would offer when in order to do so.

The amendment heretofore moved by Mr. Chrisman is in these words, viz:

§ 8. That the further sum of four thousand dollars be, and the same is hereby, appropriated to the cleaning out of the Little South Fork of Cumberland river, from the town of Parmleysville to its mouth; and that Joshua Berry, Henry Gibson, and John R. Dick be, and they are hereby, appointed commissioners to superintend said work, and to disburse said fund; and the Auditor of Public Accounts is hereby authorized to draw his warrant on the Treasurer of the State for said sum, and said Treasurer is directed to pay the same out of any money in the Treasury not otherwise appropriated.

The question being taken on the amendment moved by Mr. Chrisman, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Wight and Quick, were as follows, viz:

Those who voted in the affirmative, were—

William Adair,	I. B. Combs,	John W. Kendall,
Silas Adams,	R. L. Cooper,	James Kilgore,
Wm. F. Barret,	Joseph M. Davidson,	G. W. Little,
P. W. Barron,	F. R. Davis,	George R. McKee,
Alpheus W. Bascom,	George R. Diamond,	Mason Morris,
J. F. Baugh,	N. C. Dille,	E. A. Pearson,
Rob't C. Beauchamp,	D. E. Downing,	W. H. Pettus,
John W. Blue,	H. G. Duerson,	W. V. Prather,
D. M. Bowen,	John Duvall,	George W. Riddle,
Orlando C. Bowles,	M. W. Ferguson,	Robert Simmons,
Samuel W. Brents,	L. D. Good,	R. M. Spalding,
Howell Brewer,	Clinton Griffith,	J. L. Waring,
E. Burr,	Ashton P. Harcourt,	A. D. Weller,
William B. Caldwell,	A. J. Hendrickson,	L. Wilson,
Landon Carter,	Elijah Hogan,	John Wolf,
J. S. Chrisman,	Elijah Hurst,	S. M. Wrather,
A. T. Coffman,	George M. Jessee,	Hugh H. York—53.
Thomas T. Cogar,	Alfred M. Jones,	

Those who voted in the negative, were—

J. M. Atherton,	J. L. Hibbs,	Joshua B. Parks,
James E. Cantrill,	James R. Hindman,	G. W. Quick,
James R. Claybrook,	R. E. Humphrey,	Wm. S. Richart,
Asbury Dawson,	Wm. Irwin, sr.,	George W. Silvertooth,
J. C. DeMoss,	James B. McCreary,	Henry H. Skiles,
Robert T. Glass,	Wm. J. McElroy,	Geo. W. Terrell,

J. B. Hays, Edward Myall, John F. Wight—22.
T. H. Hays,

And so said amendment was adopted.

Mr. Griffith then moved the following amendment, viz:

§ 9. That the additional sum of four thousand dollars is hereby appropriated for the purpose of cleaning out Panther creek, in Daviess county, and for which sum the Auditor shall draw his warrant on the Treasurer, in favor of the county judge of Daviess county, for the time being, payable out of any money in the Treasury not otherwise appropriated.

Mr. Adams then moved the previous question.

And the question being stated, "Shall the main question be now put?" it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Adams and Wight, were as follows, viz:

Those who voted in the affirmative, were—

William Adair,	R. L. Cooper,	Alfred M. Jones,
J. M. Atherton,	Joseph M. Davidson,	John W. Kendall,
Wm. F. Barret,	F. R. Davis,	James Kilgore,
Robert C. Beauchamp,	Asbury Dawson,	George R. McKee,
John W. Blue,	George R. Diamond,	E. A. Pearson,
D. M. Bowen,	H. G. Duerson,	W. V. Prather,
Orlando C. Bowles,	John Duvall,	George W. Riddle,
Samuel W. Brents,	M. W. Ferguson,	Henry H. Skiles,
J. S. Chrisman,	L. D. Good,	R. M. Spalding,
James R. Claybrook,	Clinton Griffith,	J. L. Waring,
A. T. Coffman,	J. L. Hibbs,	L. Wilson,
Thomas T. Cogar,	R. E. Humphrey,	S. M. Wrather—38.
I. B. Combs,	William Irwin, sr.,	

Those who voted in the negative, were—

Silas Adams,	John N. Furber,	Edward Myall,
P. W. Barron,	Ashton P. Harcourt,	Joshua B. Parks,
Alpheus W. Bascom,	J. B. Hays,	W. H. Pettus,
J. F. Baugh,	A. J. Hendrickson,	G. W. Quick,
Jesse D. Bright,	Jas. R. Hindman,	William S. Richart,
E. Burr,	Elijah Hogan,	Robert Simmons,
William B. Caldwell,	George M. Jessee,	George W. Terrell,
Landon Carter,	G. W. Little,	A. D. Weller,
J. C. DeMoss,	James B. McCreary,	John F. Wight,
N. C. Dille,	Wm. J. McElroy,	John Wolf,
D. E. Downing,	Mason Morris,	Hugh H. York—33.

And so the main question was ordered.

The question was then taken on the adoption of the amendment moved by Mr. Griffith, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Wight and Quick, were as follows, viz:

A bill to provide for the improvement of Tradewater river, and the pending amendment thereto.

Mr. McCreary, with leave of the House, withdrew from the files an amendment, which he had notified the House he would offer when in order to do so.

The amendment heretofore moved by Mr. Chrisman is in these words, viz:

§ 8. That the further sum of four thousand dollars be, and the same is hereby, appropriated to the cleaning out of the Little South Fork of Cumberland river, from the town of Parmleysville to its mouth; and that Joshua Berry, Henry Gibson, and John R. Dick be, and they are hereby, appointed commissioners to superintend said work, and to disburse said fund; and the Auditor of Public Accounts is hereby authorized to draw his warrant on the Treasurer of the State for said sum, and said Treasurer is directed to pay the same out of any money in the Treasury not otherwise appropriated.

The question being taken on the amendment moved by Mr. Chrisman, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Wight and Quick, were as follows, viz:

Those who voted in the affirmative, were—

William Adair,	I. B. Combs,	John W. Kendall,
Silas Adams,	R. L. Cooper,	James Kilgore,
Wm. F. Barret,	Joseph M. Davidson,	G. W. Little,
P. W. Barron,	F. R. Davis,	George R. McKee,
Alpheus W. Bascom,	George R. Diamond,	Mason Morris,
J. F. Baugh,	N. C. Dille,	E. A. Pearson,
Rob't C. Beauchamp,	D. E. Downing,	W. H. Pettus,
John W. Blue,	H. G. Duerson,	W. V. Prather,
D. M. Bowen,	John Duvall,	George W. Riddle,
Orlando C. Bowles,	M. W. Ferguson,	Robert Simmons,
Samuel W. Brents,	L. D. Good,	R. M. Spalding,
Howell Brewer,	Clinton Griffith,	J. L. Waring,
E. Burr,	Ashton P. Harcourt,	A. D. Weller,
William B. Caldwell,	A. J. Hendrickson,	L. Wilson,
Landon Carter,	Elijah Hogan,	John Wolf,
J. S. Chrisman,	Elijah Hurst,	S. M. Wrather,
A. T. Coffman,	George M. Jessee,	Hugh H. York—53.
Thomas T. Cogar,	Alfred M. Jones,	

Those who voted in the negative, were—

J. M. Atherton,	J. L. Hibbs,	Joshua B. Parks,
James E. Cantrill,	James R. Hindman,	G. W. Quick,
James R. Claybrook,	R. E. Humphrey,	Wm. S. Richart,
Asbury Dawson,	Wm. Irwin, sr.,	George W. Silvertooth,
J. C. DeMoss,	James B. McCreary,	Henry H. Skiles,
Robert T. Glass,	Wm. J. McElroy,	Geo. W. Terrell,

J. B. Hays, Edward Myall, John F. Wight—22.
T. H. Hays,

And so said amendment was adopted.

Mr. Griffith then moved the following amendment, viz:

§ 9. That the additional sum of four thousand dollars is hereby appropriated for the purpose of cleaning out Panther creek, in Daviess county, and for which sum the Auditor shall draw his warrant on the Treasurer, in favor of the county judge of Daviess county, for the time being, payable out of any money in the Treasury not otherwise appropriated.

Mr. Adams then moved the previous question.

And the question being stated, "Shall the main question be now put?" it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Adams and Wight, were as follows, viz:

Those who voted in the affirmative, were—

William Adair,	R. L. Cooper,	Alfred M. Jones,
J. M. Atherton,	Joseph M. Davidson,	John W. Kendall,
Wm. F. Barret,	F. R. Davis,	James Kilgore,
Robert C. Beauchamp,	Asbury Dawson,	George R. McKee,
John W. Blue,	George R. Diamond,	E. A. Pearson,
D. M. Bowen,	H. G. Duerson,	W. V. Prather,
Orlando C. Bowles,	John Duvall,	George W. Riddle,
Samuel W. Brents,	M. W. Ferguson,	Henry H. Skiles,
J. S. Chrisman,	L. D. Good,	R. M. Spalding,
James R. Claybrook,	Clinton Griffith,	J. L. Waring,
A. T. Coffman,	J. L. Hibbs,	L. Wilson,
Thomas T. Cogar,	R. E. Humphrey,	S. M. Wrather—38.
I. B. Combs,	William Irwin, sr.,	

Those who voted in the negative, were—

Silas Adams,	John N. Furber,	Edward Myall,
P. W. Barron,	Ashton P. Harcourt,	Joshua B. Parks,
Alpheus W. Bascom,	J. B. Hays,	W. H. Pettus,
J. F. Baugh,	A. J. Hendrickson,	G. W. Quick,
Jesse D. Bright,	Jas. R. Hindman,	William S. Richart,
E. Burr,	Elijah Hogan,	Robert Simmons,
William B. Caldwell,	George M. Jessee,	George W. Terrell,
Landon Carter,	G. W. Little,	A. D. Weller,
J. C. DeMoss,	James B. McCreary,	John F. Wight,
N. C. Dille,	Wm. J. McElroy,	John Wolf,
D. E. Downing,	Mason Morris,	Hugh H. York—33.

And so the main question was ordered.

The question was then taken on the adoption of the amendment moved by Mr. Griffith, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Wight and Quick, were as follows, viz:

Those who voted in the affirmative, were—

William Adair,	R. L. Cooper,	John W. Kendall,
Silas Adams,	Geo. R. Diamond,	G. W. Little,
P. W. Barron,	N. C. Dille,	Mason Morris,
Rob't C. Beauchamp,	D. E. Downing,	E. A. Pearson,
John W. Blue,	H. G. Duerson,	W. V. Prather,
D. M. Bowen,	John Duvall,	George W. Riddle,
Orlando C. Bowles,	M. W. Ferguson,	Robert Simmons,
E. Burr,	Robert T. Glass,	Richard M. Spalding,
Wm. B. Caldwell,	Clinton Griffith,	J. L. Waring,
Landon Carter,	Ashton P. Harcourt,	A. D. Weller,
J. S. Chrisman,	A. J. Hendrickson,	L. Wilson,
James R. Claybrook,	Elijah Hogan,	John Wolf,
A. T. Coffman,	Elijah Hurst,	S. M. Wrather,
Thomas T. Cogar,	George M. Jessee,	Hugh H. York—44.
I. B. Combs,	Alfred M. Jones,	

Those who voted in the negative, were—

J. M. Atherton,	L. D. Good,	Edward Myall,
Wm. F. Barret,	J. B. Hays,	Joshua B. Parks,
Alpheus W. Bascom,	J. L. Hibbs,	W. H. Pettus,
J. F. Baugh,	Jas. R. Hindman,	G. W. Quick,
Samuel W. Brents,	R. E. Humphrey,	William S. Richart,
Jesse D. Bright,	Wm. Irwin, sr.,	G. W. Silvertooth,
F. R. Davis,	James Kilgore,	Henry H. Skiles,
Asbury Dawson,	James B. McCreary,	George W. Terrell,
J. C. DeMoss,	Wm. J. McElroy,	John F. Wight—29.
John N. Furber,	George R. McKee,	

And so said amendment was adopted.

Mr. Bowles then moved to reconsider the vote by which the main question was ordered, and it was decided in the affirmative.

And so said vote was reconsidered.

Mr. Davidson then moved to amend the original bill, by striking out the words "fifty thousand," and inserting in lieu thereof the words "thirty thousand."

Mr. Bowles then moved the previous question.

And the question being taken, "Shall the main question be now put?" it was decided in the affirmative.

And so the main question was ordered.

At 5 minutes past 12, M., Mr. Hindman moved that the House do now adjourn.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Hindman and Adams, were as follows, viz :

Those who voted in the affirmative, were—

Silas Adams, A. P. Harcourt, G. W. Little—5.
Alpheus W. Bascom, James R. Hindman,

Those who voted in the negative, were—

Wm. Adair, Asbury Dawson, William J. McElroy,
J. M. Atherton, J. C. DeMoss, George R. McKee,
W. F. Barret, George R. Diamond, Mason Morris,
P. W. Barron, N. C. Dille, Edward Myall,
J. F. Baugh, D. E. Downing, Joshua B. Parks,
R. C. Beauchamp, H. G. Duerson, W. H. Pettus,
John W. Blue, John Duvall, W. V. Prather,
D. M. Bowen, M. W. Ferguson, G. W. Quick,
Orlando C. Bowles, John N. Furber, Wm. S. Richart,
Samuel W. Brents, L. D. Good, George W. Riddle,
Jesse D. Bright, Clinton Griffith, Geo. W. Silvertooth,
E. Burr, T. H. Hays, Robert Simmons,
Wm. B. Caldwell, A. J. Hendrickson, Henry H. Skiles,
James E. Cantrill, J. L. Hibbs, Richard M. Spalding,
Landon Carter, Elijah Hogan, Geo. W. Terrell,
J. S. Chrisman, R. E. Humphrey, J. L. Waring,
James R. Claybrook, Elijah Hurst, A. D. Weller,
A. T. Coffman, William Irwin, sr., John F. Wight,
Thomas T. Cogar, George M. Jessee, L. Wilson,
I. B. Combs, Alfred M. Jones, John Wolf,
R. L. Cooper, John W. Kendall, S. M. Wrather,
Joseph M. Davidson, James Kilgore, Hugh H. York—69.
F. R. Davis, James B. McCreary,

And so the House refused to adjourn at that hour.

The question was then taken on the adoption of the amendment proposed by Mr. Davidson, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Hindman and Adams, were as follows, viz:

Those who voted in the affirmative, were—

William Adair, F. R. Davis, G. W. Little,
J. M. Atherton, Asbury Dawson, James B. McCreary,
William F. Barret, J. C. DeMoss, William J. McElroy,
P. W. Barron, George R. Diamond, Mason Morris,
Alpheus W. Bascom, N. C. Dille, Edward Myall,
J. F. Baugh, D. E. Downing, Joshua B. Parks,
Robert C. Beauchamp, H. G. Duerson, W. H. Pettus,
John W. Blue, John Duvall, W. V. Prather,
D. M. Bowen, M. W. Ferguson, G. W. Quick,
Orlando C Bowles, John N. Furber, William S. Richart,
Samuel W. Brents, L. D. Good, George W. Riddle,
Howell Brewer, Clinton Griffith, George W. Silvertooth,
Jesse D. Bright, J. B. Hays, Robert Simmons,
E. Burr, A. J. Hendrickson, Henry H. Skiles,
William B. Caldwell, J. L. Hibbs, Richard M. Spalding,

Landon Carter,	James R. Hindman,	George W. Terrell,
J. S. Chrisman,	Elijah Hogan,	J. L. Waring,
Jas. R. Claybrook,	R. E. Humphrey,	A. D. Weller,
A. T. Coffman,	Elijah Hurst,	John F. Wight,
Thomas T. Cogar,	William Irwin, sr.,	L. Wilson,
I. B. Combs,	Alfred M. Jones,	John Wolf,
R. L. Cooper,	John W. Kendall,	S. M. Wrather,
Joseph M. Davidson,	James Kilgore,	Hugh H. York—69.

Those who voted in the negative, were—

Silas Adams,	Ashton P. Harcourt,	Thomas H. Hays—4.
Robert T. Glass.		

And so said amendment was adopted.

At 30 minutes past 12 o'clock, M., Mr. Hindman again moved that the House do now adjourn.

And the question being taken on said motion, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Hindman and Adams, were as follows, viz:

Those who voted in the affirmative, were—

Silas Adams,	James R. Hindman,	John Wolf—5.
Alpheus W. Bascom,	G. W. Little,	

Those who voted in the negative, were—

William Adair,	Asbury Dawson,	James Kilgore,
J. M. Atherton,	J. C. DeMoss,	James B. McCreary,
Wm. F. Barret,	George R. Diamond,	William J. McElroy,
P. W. Barron,	N. C. Dille,	Mason Morris,
J. F. Baugh,	D. E. Downing,	Edward Myall,
Rob't C. Beauchamp,	H. G. Duerson,	Joshua B. Parks,
John W. Blue,	John Duvall,	W. H. Pettus,
Orlando C. Bowles,	M. W. Ferguson,	W. V. Prather,
Samuel W. Brents,	John N. Furber,	G. W. Quick,
Howell Brewer,	L. D. Good,	William S. Richart,
Jesse D. Bright,	Clinton Griffith,	George W. Riddle,
E. Burr,	Ashton P. Harcourt,	G. W. Silvertooth,
William B. Caldwell,	J. B. Hays,	Robert Simmons,
Landon Carter,	A. J. Hendrickson,	George W. Terrell,
J. S. Chrisman,	J. L. Hibbs,	J. L. Waring,
James R. Claybrook,	Elijah Hogan,	A. D. Weller,
A. T. Coffman,	R. E. Humphrey,	John F. Wight
Thos. T. Cogar,	Elijah Hurst,	L. Wilson,
I. B. Combs,	William Irwin, sr.,	S. M. Wrather,
Joseph M. Davidson,	Alfred M. Jones,	Hugh H. York—64.
F. R. Davis,	John W. Kendall,	

And so the House refused to adjourn at that hour.

Ordered, That said bill be engrossed and read a third time.

Said bill being engrossed, was read a third time as follows, viz:

WHEREAS, The growing importance and value of the mineral resources of this Commonwealth make it the duty of legislation to devise measures and means for its full development; and that portion of our great State watered by Tradewater river, from its mouth to its sources, is well known to abound in the leading minerals—iron, coal, and salt; and believing that a judicious and proper expenditure in removing the obstructions will greatly improve the navigation of said river, and that it can be made safe and valuable for a large portion of the year for steamboats, coal barges, and rafts, for a distance of seventy miles above its mouth; therefore,

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the sum of thirty thousand dollars is hereby appropriated, to be paid out of any money in the public Treasury not otherwise appropriated, to be expended as hereinafter provided in the construction of locks and dams on Tradewater river, from its mouth at Tradewater Island to Wilson's warehouse on the same; the expenditure of which shall be superintended by commissioners to be named, and on conditions hereinafter set forth.

§ 2. William J. Miller, of Crittenden, N. W. Casey, of Union, F. M. Headly, of Hopkins, Jeff. Asher, of Caldwell, and James Johnson, of Webster, are hereby appointed commissioners, any three of whom shall constitute a board to do business, whose duty it shall be to employ a competent water-line engineer, and have proper surveys made of the river from its mouth to the point named as aforesaid, with a view to ascertain the best location for said locks and dams, and with a view of extending said improvements along the whole line of the river between the points above named, and the probable cost of constructing said locks and dams; and, upon estimates and specifications furnished by said engineer, they are to let out the work by contract to the lowest responsible bidders; the party or parties contracting shall be required to give bond and security that the work shall be done in proper manner, and in the time required by the contract; but before the letting of contracts it shall be the duty of the commissioners to give at least fifteen days' notice of the same by posting notices of the same upon the court-house doors of the counties wherein said sections of work to be let may be located, and by causing the same to be inserted in the Louisville Courier-Journal, and some other newspaper in the First Congressional District, for at least two weekly issues immediately before said contracts are let; and they shall receive sealed proposals for said work, reserving to themselves the right to reject any bid which may appear to them unreasonable.

§ 3. That all contracts letting out the work under this appropriation shall be executed in duplicate writings, and signed by at least three of the commissioners and the party or parties so contracting; and it must be expressly stipulated that all work, when done, must be approved by said commissioners in writing, and paid for, when thus approved, by duplicate vouchers drawn on the Auditor of Public Accounts, executed by three or more of the commissioners, which vouchers must give the name of the contractor, and indicate the sec-

tion and kind of work performed for which it is given in payment. It shall be the duty of the commissioners to forward the original of said voucher to the Auditor of Public Accounts, who shall file the same in his office; and when the duplicate is presented to the said Auditor of Public Accounts, he shall draw his warrant on the Treasury in favor of the holder of said duplicate voucher for the amount of the same, and the Treasurer shall pay the same out of the fund appropriated by the first section of this act: *Provided*, That said commissioners shall not draw their warrants on the Auditor for more than sixteen thousand and sixty-six dollars and sixty-six and two third cents in any one year, and the sum herein appropriated shall be paid out of any unappropriated money in the Treasury in three equal annual installments of sixteen thousand and sixty-six dollars and sixty-six and two third cents.

§ 4. It shall be the duty of the commissioners to visit the localities as the work is progressing, and especially to be present at the letting and closing of contracts; and in no case are they to pay for any portion of the work in advance. Their own per diem and expenses shall be paid quarterly, and other necessary current expenses, including pay of civil engineer and attendants, shall be payable monthly; all of which payments shall be made by duplicate vouchers drawn upon the Auditor of Public Accounts, as hereinbefore specified in case of contractors; which vouchers must designate each and every expense incurred, and on what account.

§ 5. The pay of said commissioners shall be three dollars per day, and all necessary expenses while on duty, to be paid out of the amount herein appropriated; and they are required to report to the next session of the General Assembly the progress of the work.

§ 6. That nothing in this act shall be so construed as to require the commissioners to employ a water-line engineer, unless they shall regard the same as necessary to carry out the provisions of this act.

§ 7. That before the said commissioners shall enter upon the discharge of their duties, they shall each take an oath to honestly, faithfully, and impartially discharge the duties imposed upon them by the provisions of this act.

§ 8. That the further sum of four thousand dollars be, and the same is hereby, appropriated to the cleaning out of the Little South Fork of Cumberland river, from the town of Parmleysville to its mouth; and that Joshua Berry, Henry Gibson, and John R. Dick be, and they are hereby, appointed commissioners to superintend said work and to disburse said fund; and the Auditor of Public Accounts is hereby authorized to draw his warrant on the Treasurer of the State for said sum, and said Treasurer is directed to pay the same out of any money in the Treasury not otherwise appropriated.

§ 9. That the additional sum of four thousand dollars is hereby appropriated for the purpose of cleaning out Panther creek, in Daviess county, and for which sum the Auditor shall draw his warrant on the Treasurer in favor of the county judge of Daviess county for the time being, payable out of any money in the Treasury not otherwise appropriated.

§ 10. This act shall take effect from its passage.

Mr. Simmons moved to reconsider the vote by which said bill was ordered to be read a third time.

Mr. Wolf then moved to lay the bill and amendments on the table.

And the question being taken on the motion of Mr. Wolf, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Wolf and Hindman, were as follows, viz:

Those who voted in the affirmative, were—

Silas Adams,	Ashton P. Harcourt,	G. W. Quick,
J. M. Atherton,	A. J. Hendrickson,	Wm. S. Richart,
P. W. Barron,	J. R. Hindman,	G. W. Silvertooth,
Alpheus W. Bascom,	Elijah Hogan,	Henry H. Skiles,
Jesse D. Bright,	Elijah Hurst,	George W. Terrell,
James R. Claybrook,	G. W. Little,	A. D. Weller,
F. R. Davis,	William J. McElroy,	John F. Wight,
John Duvall,	George R. McKee,	John Wolf,
John N. Furber,	W. H. Pettus,	Hugh H. York—29.
L. D. Good,	W. V. Prather,	

Those who voted in the negative, were—

William Adair,	I. B. Combs,	George M. Jessee,
Wm. F. Barret,	R. L. Cooper,	John W. Kendall,
J. F. Baugh,	Joseph M. Davidson,	James Kilgore,
John W. Blue,	Asbury Dawson,	James B. McCreary,
D. M. Bowen,	J. C. DeMoss,	Mason Morris,
Orlando C. Bowles,	George R. Diamond,	Edward Myall,
Samuel W. Brents,	D. E. Downing,	Joshua B. Parks,
Howell Brewer,	H. G. Duerson,	E. A. Pearson,
E. Burr,	M. W. Ferguson,	George W. Riddle,
William B. Caldwell,	Robert T. Glass,	Robert Simmons,
Landon Carter,	Clinton Griffith,	R. M. Spalding,
J. S. Chrisman,	J. L. Hibbs,	J. L. Waring,
A. T. Coffman,	R. E. Humphrey,	L. Wilson,
Thomas T. Cogar,	William Irwin, sr.,	S. M. Wrather—42.

And so the House refused to lay said bill and amendments on the table.

Pending further proceedings thereon, the hour for taking a recess, under the resolution heretofore adopted, arrived, and the House took a recess till 3 o'clock, P. M.

At 3 o'clock, P. M., the House again assembled.

Mr. Chrisman, from the Committee on Revised Statutes, who were directed to prepare and bring in the same, reported

A bill to permit witnesses to testify in certain cases.

Which was read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Said bill was placed in the orders of the day.

Leave of absence, indefinitely, was granted Mr. Little.

Mr. Skiles, from the Committee on the Judiciary, to whom was recommitted a bill, entitled

A bill for the benefit of J. C. Calhoun, sheriff of McCracken county.

Reported the same without amendment, and with the expression of opinion that said bill ought not to pass.

Mr. Silvertooth offered an amendment to said bill, which was adopted.

Mr Hibbs moved an amendment.

On motion of Mr. McElroy, said bill and amendments were laid on the table.

Mr. Blue, from the Committee on the Judiciary, to whom was referred a bill from the Senate, entitled

An act to separate the offices of commissioner and receiver of the Louisville chancery court, and to provide for the appointment of said officers, and to define their duties, and to fix the fees of the commissioner,

Reported the same with an amendment thereto.

On motion of Mr. Glass, said bill and amendment was made the special order for to-morrow at 11 o'clock, A. M.

Mr. Blue, from the Committee on the Judiciary, to whom was referred a bill from the Senate, entitled

An act to provide for the advertisement of sheriffs and marshals' sales in the city of Louisville and Jefferson county, and to repeal all laws in conflict therewith,

Reported the same without amendment, and with the expression of opinion that said bill ought not to pass.

The question was then taken on ordering said bill to be read a third time, the opinion of the committee to the contrary notwithstanding, and it was decided in the negative.

And so said bill was disagreed to.

Mr. Skiles, from the Committee on the Judiciary, who were directed to prepare and bring in the same, reported

A bill for the benefit of the county judge of Carroll county,

Without the expression of opinion thereon by the committee.

Which was read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

Said bill being engrossed, was read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the judge of the quarterly court of Carroll county shall hereafter have jurisdiction of all actions for the recovery of money or personal property, where the matter in controversy, exclusive of interest and costs, does not exceed three hundred dollars in value.

§ 2. This act shall take effect from its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Barret and Blue, were as follows, viz:

Those who voted in the affirmative, were—

P. W. Barron,	D. E. Downing,	William J. McElroy,
Alpheus W. Bascom,	John Duvall,	Joshua B. Parks,
J. F. Baugh,	M. W. Ferguson,	E. A. Pearson,
Robert C. Beauchamp,	James P. Ford,	G. W. Quick,
D. M. Bowen,	John N. Furber,	George W. Riddle,
Jesse D. Bright,	L. D. Good,	G. W. Silvertooth,
William B. Caldwell,	J. B. Hays,	Robert Simmons,
James R. Claybrook,	T. H. Hays,	George W. Terrell,
Thomas T. Cogar,	J. L. Hibbs,	J. L. Waring,
I. B. Combs,	Elijah Hogan,	John F. Wight,
Joseph M. Davidson,	Wm. Irwin, sr.,	L. Wilson,
F. R. Davis,	Alfred M. Jones,	John Wolf,
Asbury Dawson,	John W. Kendall,	S. M. Wrather—41.
J. C. DeMoss,	James B. McCreary,	

Those who voted in the negative, were—

William Adair,	Clinton Griffith,	W. H. Pettus,
J. M. Atherton,	Ashton P. Harcourt,	W. V. Prather,
Wm. F. Barret,	R. E. Humphrey,	William S. Richart,
John W. Blue,	James Kilgore,	Henry H. Skiles,
Orlando C. Bowles,	George R. McKee,	Richard M. Spalding,
Landon Carter,	Mason Morris,	A. D. Weller—20.
R. L. Cooper,	Edward Myall,	

Resolved, That the title of said bill be as aforesaid.

Bills from the Senate were reported, without amendment, by the committees to whom they had been referred, of the following titles, viz:

By Mr. Barret, from the Committee on the Judiciary—

An act for the benefit of Margaret Grief, of McCracken county.

By Mr. Griffith, from the Committee on Corporate Institutions—

An act to amend an act, entitled "An act to authorize the St. Louis Bertrand Society, of the city of Louisville, to issue mortgage bonds."

By Mr. Blue, from the Committee on the Judiciary—

An act regulating appeals from the police court of Bardstown.

Ordered, That said bills be read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Bills were reported by the several committees, who were directed to prepare and bring in the same, of the following titles, viz:

By Mr. Atherton, from the Committee on Privileges and Elections—

A bill to remove the disabilities of James M. Brooks.

By Mr. Barret, from the Committee on the Judiciary—

A bill to legalize the acts of Frank Walton and J. B. Finnel, deputy clerks of A. B. Parker, clerk of the Boone county court.

By same—

A bill to amend an act to incorporate the Cook Benevolent Institution.

By same—

A bill to revive an act, entitled "An act to provide a mechanics' lien law for the city of Louisville and county of Jefferson," approved 2d day of March, 1869.

By same—

A bill to amend an act, entitled "An act establishing a new charter for the city of Louisville," approved the 3d day of March, 1870.

By same—

A bill in relation to recording deeds made under order of the Louisville chancery court.

By same—

A bill to incorporate the Farmers' Club of Shelby county.

By Mr. Skiles, from the same committee—

A bill to protect bridges over Licking river, in Pendleton county.

By Mr. Prather, from the same committee—

A bill for the benefit of Henry C. Thompson, of Livingston county.

By Mr. Good, from the Committee on Religion—

A bill to prevent the sale of spirituous, vinous, or malt liquors in the county of Jackson.

By same—

A bill to incorporate the Christian Church at Ghent.

By same—

A bill for the benefit of Slate Union or Salt Well Church, in Bath county.

By Mr. Duerson, from the same committee—

A bill to prohibit the sale of intoxicating liquors at the Falls of Rough, in Grayson county, or within five miles thereof.

By same—

A bill to prohibit the sale of spirituous, vinous, or malt liquors in the town of Saloma, in Taylor county.

By same—

A bill to prohibit the selling, giving, or loaning intoxicating liquors in the village of Aaron's Run, or within a radius of two miles from the centre thereof.

Which were read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Blue, from the Committee on the Judiciary, who originated the same, reported

A bill to repeal an act, entitled "An act to repeal an act to provide for the advertisement of sheriffs' and marshals' sales in the city of Louisville and Jefferson county.

Which was read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

And then the House adjourned.

FRIDAY, FEBRUARY 24, 1871.

Mr. Bowles, from the Committee on Enrollments, reported that the committee had examined an enrolled bill, which originated in the Senate, entitled

An act to authorize the Fayette county court to pay out of the county funds the expenses of certain officers incurred in the United States district and circuit courts;

And also enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act for the benefit of the town of Tompkinsville, in Monroe county;

An act concerning the titles of John C. King, H. J. Lewis and brother, and E. H. Bland, to certain real estate formerly owned by Lizardi Brothers, in the city of Louisville, State of Kentucky;

An act to authorize Capital Lodge, No. 6, I. O. O. F., at Frankfort, to issue bonds;

An act to incorporate the Lafayette and New Providence Turnpike Road Company;

An act to abolish the July term of the Mercer circuit court;

An act to amend the charter of the Newport and Licking Turnpike and Plank Road Company;

An act to provide for the payment of grand and petit jurors of Mercer circuit court, at November term, 1870;

An act to legalize second day's business of Mercer circuit court, November term, 1870;

An act to amend the charter of the Dover and Minerva Turnpike Road Company, in Mason county;

An act for the benefit of Nicholas county;

An act to prohibit the sale of intoxicating liquors along the line of certain turnpike roads in Washington county;

An act for the benefit of the citizens of Boston, in Whitley county;

An act to amend an act, entitled "An act to alter and amend the road law in Livingston county;"

An act to incorporate the Shelbyville and Burk's Branch Turnpike Road Company;

An act to repeal an act, entitled "An act for the benefit of Rockcastle county, in relation to roads and passways;"

And had found the same truly enrolled.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Bowles inform the Senate thereof.

A message was received from the Senate, announcing that they had disagreed to bills, which originated in the House of Representatives, of the following titles, viz:

An act to amend section 226, Civil Code, making it the duty of sheriffs to copy attachments, &c., from other than his own county, in county clerk's office, &c.

An act to amend sections 295 and 326, of the Code of Practice in civil cases.

An act to amend section 320 of the Civil Code of Practice.

That they had passed bills, which originated in the House of Representatives, of the following titles, viz:

An act to re-enact an act, entitled "An act to amend the charter of the Owensboro and Russellville Railroad Company," approved February 1, 1868.

An act to amend an act, entitled "An act for the benefit of James Davis, of Knox county."

An act to prohibit the sale of spirituous, vinous, or malt liquors in the town of Woodbury, in Butler county, and within one half mile of the corporate limits of said town.

An act to prevent the sale of spirituous, vinous, or malt liquors in the town of Mt. Washington, Bullitt county.

An act in relation to the sale of spirituous liquors in Morgan county.

That they had received official information that the Governor had approved and signed enrolled bills, which originated in the Senate, of the following titles, viz:

An act for the benefit of the Kentucky Eastern Lunatic Asylum.

An act for the benefit of the Deaf and Dumb Asylum at Danville.

An act for the benefit of James M. Bullock, of Laurel county.

An act to incorporate the Kentucky Central Railroad Company.

An act for the benefit of Richard Board, clerk of the Mercer circuit court.

An act to change the time of holding circuit courts in the first judicial district, and providing for the change of cases to courts of common pleas in certain cases.

An act to repeal the court of common pleas in the counties of Hickman, Fulton, Graves, and Marshall, in the first judicial district.

An act to amend the charter of the Blue Lick Turnpike Road Company.

And that they had passed bills of the following titles, viz:

1. An act for the benefit of Emma Wade, widow of Wm. M. Wade, deceased.

2. An act to amend an act, entitled "An act to revise, amend, and reduce into one the laws relating to the common schools in Kentucky," approved March 21, 1870.

3. An act to incorporate the Southern Kentucky Railroad Company.

4. An act to amend the charter of the Bowling Green, Hartford, and Ohio River Railroad Company.

5. An act to incorporate the Frankfort, Paris, and Big Sandy Railroad Company.

6. An act to amend the charter of the town of Mayfield.

7. An act to regulate the running time of the Louisville and Nashville Railroad through the limits of the towns of Elizabethtown, Bowling Green, and Franklin.

8. An act to amend chapter 103 of the Revised Statutes, title, "Turnpike and Plank Roads."

9. An act to authorize and legalize appropriations of the railroad fund of Boyle county.

Which were read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That they be referred—the 1st to the Committee on Claims; the 2d to the Committee on Education; the 3d, 4th, 5th, and 7th to the Committee on Railroads; the 6th to the Committee on Corporate

Institutions; the 8th to the Committee on Revised Statutes; and the 9th to the Committee on County Courts.

On motion of Mr. Harcourt—

Leave of absence, indefinitely, was granted Messrs. T. E. Moss and Duvall.

Leave was given to bring in the following bills, viz:

On motion of Mr. Prather—

1. A bill for the benefit of Carlisle and Park's Ferry Turnpike Road Company.

On motion of same—

2. A bill for the benefit of common school district No. 26, Nicholas county.

On motion of Mr. Davis—

3. A bill for the benefit of M. M. Teager, clerk of Fleming county court.

On motion of same—

4. A bill to amend an act, entitled "An act incorporating Sherburn Bridge Company."

On motion of Mr. Richart—

5. A bill to provide for the collection of railroad tax in Montgomery county.

On motion of same—

6. A bill for the benefit of the directors of Spencer Turnpike Road Company, in Montgomery county.

Ordered, That the Committee on Internal Improvement prepare and bring in the 1st; the Committee on Education the 2d; the Committee on County Courts the 5th; the Committee on Corporate Institutions the 4th; the Committee on Propositions and Grievances the 6th; and the 3d to the Committee on Circuit Courts.

A message was received from the Governor by Mr. Samuels, Assistant Secretary of State, announcing that he had approved and signed enrolled joint resolutions, which originated in the House of Representatives, of the following titles, viz:

Resolution in relation to removal of political disabilities.

Resolution requesting the Governor to have a salute fired on the 22d of February.

Bills were reported by the several committees, who were directed to prepare and bring in the same, of the following titles, viz:

By Mr. Harcourt, from the Committee on Railroads—

A bill to amend an act, entitled "An act to amend an act, enti-

tled 'An act to amend the charter of the Shelbyville Railroad Company, and to authorize certain counties to take stock in the same.'"

By Mr. Chrisman, from the Committee on Claims—

A bill for the benefit of P. J. Scheeran, of Newport.

By same—

A bill for the benefit of R. W. Stringer, of Livingston county.

Which were read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Chrisman, from the Committee on Claims, to whom were referred bills from the Senate, of the following titles, viz:

1. An act for the benefit of Henry B. Wiseman, of Estill county;

2. An act for the benefit of W. W. Montague;

Reported the same without amendment.

Ordered, That said bills be read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Chrisman, from the Committee on Claims, who were directed to prepare and bring in the same, reported

A bill for the benefit of Elijah Evans, of Jessamine county.

Which was read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

Said bill being engrossed, was read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the Auditor of Public Accounts is authorizd and directed to draw his warrant upon the Treasurer in favor of Elijah Evans, of Jessamine county, for the sum of one hundred and fifty dollars, to be paid out of any money in the Treasury not otherwise appropriated, for the money expended by said Evans in procuring

the arrest of Moses Ray, indicted for murder in the Garrard circuit court, in the State of Indiana, under a requisition of the Governor of this Commonwealth.

§ 2. This act to be in force from its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon, in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

William Adair,	Joseph M. Davidson,	James B. McCreary,
Silas Adams,	F. R. Davis,	George R. McKee,
J. M. Atherton,	Asbury Dawson,	Mason Morris,
Wm. F. Barret,	J. C. DeMoss,	Edward Myall,
P. W. Barron,	George R. Diamond,	E. A. Pearson,
Alpheus W. Bascom,	D. E. Downing,	W. H. Pettus,
J. F. Baugh,	H. G. Duerson,	Alfred T. Pope,
Rob't C. Beauchamp,	M. W. Ferguson,	W. V. Prather,
John W. Blue,	James P. Ford,	G. W. Quick,
D. M. Bowen,	John N. Furber,	William S. Richart,
Orlando C. Bowles,	L. D. Good,	George W. Riddle,
Samuel W. Brents,	Clinton Griffith,	Robert Simmons,
Jesse D. Bright,	J. B. Hays,	R. M. Spalding,
E. Burr,	T. H. Hays,	George W. Terrell,
William B Caldwell,	A. J. Hendrickson,	J. L. Waring,
Landon Carter,	J. L. Hibbs,	John F. Wight
J. S. Chrisman,	James R. Hindman,	L. Wilson,
James R. Claybrook,	Elijah Hogan,	John Wolf,
Thos. T. Cogar,	William Irwin, sr.,	S. M. Wrather,
I. B. Combs,	Alfred M. Jones,	Hugh H. York—62.
R. L. Cooper,	James Kilgore,	

In the negative—none.

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Chrisman, from the Committee on Claims, who were directed to prepare and bring in the same, reported

A bill for the benefit of Knox county.

Which was read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

Said bill being engrossed, was then read a third time as follows, viz:

WHEREAS, It is made manifest to the General Assembly of the Commonwealth of Kentucky, that the county of Knox has a good and

safe jail, which requires no guard to prevent the escape of prisoners confined therein; and whereas, it has been further shown, that during the time John Owens was confined in the Whitley county jail, on a charge of murder, an attempt was made by a body of armed men to rescue and release said Owens from said jail, and was only prevented from so doing by a guard that had been ordered by the county judge of Whitley; and whereas, the case of the Commonwealth against John Owens was removed to the Knox circuit court by change of venue, and said John Owens transferred from the Whitley to the Knox county jail; and whereas, the judge of the Knox county court had reasonable grounds to apprehend that an attempt would be made by an armed force to release said Owens from the jail of Knox, ordered a guard to prevent same, which claim amounts to $493; which, under an act of the Legislature, approved the — day of ——, 186–, will have to be paid by the county of Knox, which would be unjust; therefore,

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That said county of Knox be exempt from the payment of the claims of said guard out of the county levy; and that the sheriff thereof is directed to pay said claims, amounting to four hundred and ninety-three dollars, out of the revenue due from Knox county for the year 1871; and the Auditor of Public Accounts is directed to credit said sheriff with said amount upon settlement of his account for the revenue of Knox county for the year 1871.

§ 2. That this act to take effect from its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon, in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Wm. Adair,	R. L. Cooper,	William J. McElroy,
Silas Adams,	Joseph M. Davidson,	George R. McKee,
George W. Anderson,	F. R. Davis,	Mason Morris,
J. M. Atherton,	D. E. Downing,	Edward Myall,
W. F. Barret,	H. G. Duerson,	Joshua B. Parks,
P. W. Barron,	M. W. Ferguson,	E. A. Pearson,
Alpheus W. Bascom,	James P. Ford,	W. H. Pettus,
J. F. Baugh,	John N. Furber,	Alfred T. Pope,
R. C. Beauchamp,	R. T. Glass,	G. W. Quick,
John W. Blue,	L. D. Good,	Wm. S. Richart,
D. M. Bowen,	Clinton Griffith,	George W. Riddle,
Orlando C. Bowles,	A. P. Harcourt,	Robert Simmons,
Samuel W. Brents,	J. B. Hays,	Richard M. Spalding,
Jesse D. Bright,	T. H. Hays,	Geo. W. Terrell,
E. Burr,	A. J. Hendrickson,	J. L. Waring,
Wm. B. Caldwell,	J. L. Hibbs,	A. D. Weller,
James E. Cantrill,	James R. Hindman,	John F. Wight,
Landon Carter,	Elijah Hogan,	L. Wilson,
J. S. Chrisman,	R. E. Humphrey,	John Wolf,

James R. Claybrook, William Irwin, sr., S. M. Wrather,
Thomas T. Cogar, James Kilgore, Hugh H. York—65.
I. B. Combs, James B. McCreary,

In the negative, Asbury Dawson—1.

Resolved, That the title of said bill be as aforesaid.

Mr. McKee, from the joint committee of conference upon the subject of the disagreement of the two Houses on the amendment proposed by the Senate, to a bill which originated in the House of Representatives, of the following title, viz:

An act to revise, digest, and compile the statute laws of this State,

Reported that the committee had agreed upon and recommended that the two Houses do pass the following bill,

Which, being taken up by the House, was read the first time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the Governor be directed, by and with the advice and consent of the Senate, to appoint three commissioners to revise the statute laws and Codes of Practice of Kentucky; and it shall be the duty of said commissioners, within thirty days after their appointment as such, to proceed to the city of Frankfort, and there commence and conclude the labors imposed by this act.

§ 2. It shall be the duty of said commissioners to revise, digest, and make a compilation of existing laws; to strike out all statutes which may have become obsolete, or shall have been repealed, making notes of reference thereto, and to such decisions of the Court of Appeals as they may deem necessary; to report to the General Assembly for its action such laws bearing upon the same subject as may be in force, which may seem to be contradictory or repugnant to each other; to amend and reduce into one existing laws, and reconcile such as may be in conflict, and to make such modifications and changes of the laws as in their judgment may be for the public interest.

§ 3. The work, when completed, shall be reported to the General Assembly for its approval or rejection; and if accepted, the same shall be the property of the State, and under the control of the Legislature.

§ 4. That, upon the filing of a certificate by either of the commissioners appointed under this act with the Auditor of Public Accounts, setting forth the number of days he has been actually engaged on said work, the Auditor shall draw his warrant on the Treasurer in favor of said commissioner, in a sum not to exceed ten dollars per day for each day engaged: *Provided, however*, That neither of said commissioners shall receive for his services more than three thousand dollars, except mileage, which he shall be entitled to at the same rate as a member of the General Assembly.

§ 5. If either of the commissioners appointed by the Governor, and

confirmed by the Senate, should die, resign, or refuse to accept or act, the Governor may, in vacation, fill such vacancy.

§ 6. This act to be in force from its passage.

Ordered, That said bill be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

The question was then taken on the passage thereof, and it was decided in the affirmative.

The yeas and nays being required thereon, in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

William Adair,	F. R. Davis,	Geo. R. McKee,
Silas Adams,	J. C. DeMoss,	Edward Myall,
George W. Anderson,	George R. Diamond,	Joshua B. Parks,
J. M. Atherton,	H. G. Duerson,	E. A. Pearson,
William F. Barret,	M. W. Ferguson,	Alfred T. Pope,
Alpheus W. Bascom,	James P. Ford,	W. V. Prather,
J. F. Baugh,	John N. Furber,	G. W. Quick,
Robert C. Beauchamp,	Robert T. Glass.	George W. Riddle,
John W. Blue,	Clinton Griffith,	George W. Silvertooth,
D. M. Bowen,	Ashton P. Harcourt,	Robert Simmons,
Samuel W. Brents,	J. B. Hays,	Richard M. Spalding,
Howell Brewer,	Thomas H. Hays,	George W. Terrell,
Jesse D. Bright,	James R. Hindman,	J. L. Waring,
E. Burr,	Elijah Hogan,	A. D. Weller,
William B. Caldwell,	George M. Jessee,	John F. Wight,
James E. Cantrill,	Alfred M. Jones,	L. Wilson,
Landon Carter,	James Kilgore,	John Wolf,
Thomas T. Cogar,	James B. McCreary,	S. M. Wrather—55.
R. L. Cooper,		

Those who voted in the negative, were—

P. W. Barron,	L. D. Good,	William J. McElroy,
Orlando C. Bowles,	A. J. Hendrickson,	Mason Morris,
J. S. Chrisman,	J. L. Hibbs,	W. H. Pettus,
I. B. Combs,	R. E. Humphrey,	William S. Richart,
Asbury Dawson,	Elijah Hurst,	Hugh H. York—17.
D. E. Downing,	William Irwin, sr.,	

Resolved That said bill do pass, and that the title thereof be so changed as to read,

An act to revise, digest, and compile the statute laws and Codes of Practice of Kentucky.

The House then, according to order, took up for furthur consideration a bill from the Senate, entitled

An act to separate the offices of commissioner and receiver of the Louisville chancery court, and to provide for the appointment of said officers, and to define their duties, and to fix the fees of the commissioner,

And the amendments proposed by the committee thereto.

Mr. Furber moved an amendment to the amendments proposed by the committee, which was rejected.

The amendments proposed by the committee were then adopted.

Mr. Glass moved to postpone the further consideration of said bill and amendments until the decision of the special commissioner, Hon. T. A. Marshall, as to the state of the accounts of the late receiver and present commissioner, Thos. P. Smith, is made and published.

And the question being taken on the motion of Mr. Glass, it was decided in the negative.

The yeas and nays being required thereon by Messrs. McAfee and Glass, were as follows, viz:

Those who voted in the affirmative, were—

Silas Adams,	Robert T. Glass,	W. V. Prather,
Alpheus W. Bascom,	L. D. Good,	G. W. Quick,
Jesse D. Bright,	Clinton Griffith,	George W. Riddle,
James E. Cantrill,	J. L. Hibbs,	Robert Simmons,
F. R. Davis,	Elijah Hogan,	Henry H. Skiles,
Asbury Dawson,	Wm. Irwin, sr.,	George W. Terrell,
James P. Ford,	J. J. McAfee,	John Wolf—23.
John N. Furber,	Edward Myall,	

Those who voted in the negative, were—

William Adair,	Geo. R. Diamond,	George R. McKee,
George W. Anderson,	D. E. Downing,	Mason Morris,
J. M. Atherton,	H. G. Duerson,	Joshua B. Parks,
Wm. F. Barret,	M. W. Ferguson,	E. A. Pearson,
P. W. Barron,	Ashton P. Harcourt,	W. H. Pettus,
John W. Blue,	J. B. Hays,	Alfred T. Pope,
D. M. Bowen,	Thomas H. Hays,	G. W. Silvertooth,
Orlando C. Bowles,	A. J. Hendrickson,	Richard M. Spalding,
Samuel W. Brents,	Jas. R. Hindman,	J. L. Waring,
E. Burr,	R. E. Humphrey,	A. D. Weller,
Wm. B. Caldwell,	Elijah Hurst,	John F. Wight,
Landon Carter,	George M. Jessee,	L. Wilson,
I. B. Combs,	Alfred M. Jones,	S. M. Wrather,
R. L. Cooper,	James Kilgore,	Hugh H. York—44.
Joseph M. Davidson,	Wm. J. McElroy,	

And so the House refused to postpone the same.

On motion of Mr. McAfee, the roll was then called, and the following members appeared in their seats, viz:

William Adair,	Asbury Dawson,	Edward Myall,
George W. Anderson,	J. C. DeMoss,	Joshua B. Parks,
J. M. Atherton,	George R. Diamond,	E. A. Pearson,
Wm. F. Barret,	D. E. Downing,	W. H. Pettus,
P. W. Barron,	M. W. Ferguson,	Alfred T. Pope,
John W. Blue,	John N. Furber,	W. V. Prather,
D. M. Bowen,	Ashton P. Harcourt,	William S. Richart,
Orlando C. Bowles,	J. B. Hays,	George W. Riddle,
Samuel W. Brents,	Thomas H. Hays,	Geo. W. Silvertooth,
Jesse D. Bright,	A. J. Hendrickson,	Henry H. Skiles,
E. Burr,	R. E. Humphrey,	R. M. Spalding,
William B. Caldwell,	Elijah Hurst,	J. L. Waring,
Landon Carter,	James Kilgore,	A. D. Weller,
I. B. Combs,	James B. McCreary,	John F. Wight,
R. L. Cooper,	Wm. J. McElroy,	L. Wilson,
Joseph M. Davidson,	George R. McKee,	S. M. Wrather
F. R. Davis,	Mason Morris,	Hugh H. York—51.

Mr. Bright then moved an amendment to the bill as amended.

Mr. Cantrill moved a substitute for the bill and amendments.

On motion of Mr. Bowles, the roll was again called, and the following members appeared in their seats, viz:

William Adair,	D. E. Downing,	Edward Myall,
Silas Adams,	M. W. Ferguson,	Joshua B. Parks,
G. W. Anderson,	John N. Furber,	E. A. Pearson,
J. M. Atherton,	Ashton P. Harcourt,	W. H. Pettus,
Wm. F. Barret,	J. B. Hays,	Alfred T. Pope,
P. W. Barron,	T. H. Hays,	G. W. Quick,
John W. Blue,	A. J. Hendrickson,	Wm. S. Richart,
D. M. Bowen,	Elijah Hogan,	George W. Riddle,
Orlando C. Bowles,	R. E. Humphrey,	George W. Silvertooth,
Jesse D. Bright,	Elijah Hurst,	Robert Simmons,
E. Burr,	William Irwin, sr.,	Henry H. Skiles,
Landon Carter,	George M. Jessee,	Richard M. Spalding,
I. B. Combs,	Alfred M. Jones,	George W. Terrell,
R. L. Cooper,	James Kilgore,	J. L. Waring,
Joseph M. Davidson,	James B. McCreary,	John F. Wight,
F. R. Davis,	William J. McElroy,	S. M. Wrather,
Asbury Dawson,	George R. McKee,	Hugh H. York—53.
George R. Diamond,	Mason Morris,	

At 25 minutes past 2 o'clock, P. M., Mr. Glass moved that the House do now adjourn.

And the question being taken on the motion of Mr. Glass, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Atherton and Blue, were as follows, viz:

Those who voted in the affirmative, were—

William Adair,	James P. Ford,	W. V. Prather,
Silas Adams,	John N. Furber,	G. W. Quick,
Alpheus W. Bascom,	Robert T. Glass,	Wm. S. Richart,
D. M. Bowen,	L. D. Good,	Robert Simmons,
Jesse D. Bright,	Clinton Griffith,	Henry H. Skiles,
James E. Cantrill,	J. L. Hibbs,	Geo. W. Terrell,
R. L. Cooper,	Elijah Hogan,	A. D. Weller,
Joseph M. Davidson,	Wm. Irwin, sr.,	L. Wilson,
F. R. Davis,	George R. McKee,	John Wolf,
Asbury Dawson,	Edward Myall,	S. M. Wrather—32.
J. C. DeMoss,	W. H. Pettus,	

Those who voted in the negative, were—

Geo. W. Anderson,	George R. Diamond,	Wm. J. McElroy,
J. M. Atherton,	D. E. Downing,	Mason Morris,
Wm. F. Barret,	M. W. Ferguson,	Joshua B. Parks,
P. W. Barron,	Ashton P. Harcourt,	E. A. Pearson,
John W. Blue,	J. B. Hays,	Alfred T. Pope,
Orlando C. Bowles,	T. H. Hays,	George W. Riddle,
Samuel W. Brents,	A. J. Hendrickson,	George W. Silvertooth,
E. Burr,	R. E. Humphrey,	R. M. Spalding,
William B. Caldwell,	Elijah Hurst,	J. L. Waring,
Landon Carter,	James Kilgore,	John F. Wight,
I. B. Combs,	James B. McCreary,	Hugh H. York—33.

On motion of Mr. Spalding, the further consideration of said bill and amendments were postponed until to-morrow, and made the special order for the hour of 10 o'clock, A. M.

And then the House adjourned.

SATURDAY, FEBRUARY 25, 1871.

The following petitions were presented, viz:

By Mr. Weller—

1. The petition of citizens of Litchfield, praying the passage of a law prohibiting the sale of ardent spirits as a beverage within the limits of said town, or within two miles thereof.

By Mr. Blue—

2. The petition of citizens of Union, Crittenden, Webster, and Caldwell counties, praying for the improvement of Tradewater river.

Which were received, the reading dispensed with, and referred—the 1st to the Committee on Religion, and the 2d to the Committee on Internal Improvement.

Mr. Bowles, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the Senate, of the following titles, viz:

An act to amend an act, entitled "An act to authorize the St. Louis Bertrand Society, of the city of Louisville, to issue mortgage bonds;"

An act regulating appeals from the police court of Bardstown;

An act for the benefit of Margaret Grief, of McCracken county;

And also enrolled bills and a resolution, which originated in the House of Representatives, of the following titles, viz:

An act to amend an act, entitled "An act for the benefit of James Davis, of Knox county;"

An act to re-enact an act, entitled "An act to amend the charter of the Owensboro and Russellville Railroad Company," approved February 1, 1868;

An act to prohibit the sale of spirituous, vinous, or malt liquors in the town of Woodbury, in Butler county, and within one half mile of the corporate limits of said town;

An act to prevent the sale of spirituous, vinous, or malt liquors in the town of Mt. Washington, Bullitt county;

Resolution requesting Insurance Commissioner to make investigation of the affairs of certain insurance companies;

And had found the same truly enrolled.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Bowles inform the Senate thereof.

A message was received from the Senate, announcing that they had received official information that the Governor had approved and signed enrolled bills, which originated in the Senate, of the following titles, viz:

An act requiring railroad companies to keep open their ticket offices during one hour immediately next before the departure of their trains, in cases where tickets are required before entering the cars.

An act for the benefit of the State House of Reform.

That they had disagreed to a bill, which originated in the House of Representatives, entitled

An act to repeal in part and amend an act, entitled "An act to punish certain trespasses in Jefferson, Scott, Mason, Kenton, Campbell, and Woodford counties."

That they had passed bills, which originated in the House of Representatives, of the following titles, viz:

An act authorizing and directing the sale of the interest and stock owned by the State of Kentucky in turnpike roads or turnpike road companies.

An act authorizing and empowering county courts to purchase from Commissioners of the Sinking Fund stock in turnpike roads belonging to the State of Kentucky.

An act to amend chapter 9 of title 10 of the Civil Code of Practice, entitled "Forcible Entry and Detainer."

An act to amend the act, entitled "An act to incorporate the Shelbyville Cemetery Company," approved March 1, 1854.

An act to amend section 367 of the Civil Code of Practice.

With an amendment to the last named bill.

And that they had passed bills of the following titles, viz:

1. An act to establish a chancery court for the counties of Campbell, Kenton, and Bracken.

2. An act to confer jurisdiction upon justices of the peace in prosecutions for carrying concealed deadly weapons.

3. An act to procure the collection of the revenue and county levy of Clay county for the year 1870.

4. An act to amend an act, entitled "An act to incorporate the Gaylord Iron and Manufacturing Company," approved March 16th, 1869.

Which were read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That they be referred—the 1st to the Committee on the Judiciary; the 2d to the Committee on Revised Statutes; the 3d and 4th to the Committee on Ways and Means.

Leave was given to bring in the following bills, viz:

On motion of Mr. Weller—

1. A bill to prohibit the sale of intoxicating liquors of any kind, as a beverage, in the town of Litchfield, Grayson county, or within two miles thereof.

On motion of Mr. Hurst—

2. A bill to incorporate the Kentucky River Salt Manufacturing Company.

On motion of Mr. McElroy—

3. A bill for the benefit of civil district No. 3, in Allen county.

On motion of Mr. Kilgore—

4. A bill to amend an act, entitled "An act to amend chapter 84, of the Revised Statutes, title 'Roads and Passways,'" approved February 20, 1869.

On motion of Mr. Bowles—

5. A bill for the benefit of Wm. Quilling, of Letcher county.

On motion of Mr. Hendrickson—

6. A bill to amend the charter of the Vanceburg, Salt Lick, Tollsboro, and Maysville Turnpike Company.

On motion of Mr. G. W. Anderson—

7. A bill to incorporate the Louisville Fireman's Benevolent Association.

On motion of Mr. Brents—

8. A bill to regulate fees of clerks in certain cases.

On motion of same—

9. A bill for the benefit of the South Kentucky Fair Grounds.

On motion of same—

10. A bill regulating the weighing of tobacco in the city of Louisville.

On motion of Mr. Diamond—

11. A bill for the benefit of J. B. Goff, of Martin county.

On motion of same—

12. A bill for the benefit of Garrard Ratcliffe, of Lawrence county.

On motion of Mr. J. B. Hays—

13. A bill to extend the corporate limits of South Carrollton, in Muhlenburg county.

On motion of Mr. Duerson—

14. A bill to authorize the Oldham county court to issue bonds for the benefit of turnpike road companies.

On motion of Mr. Cantrill—

15. A bill to amend the charter of the town of Georgetown.

On motion of Mr. Bowen—

16. A bill for the benefit of the Bridgeport and Farmdale Turnpike Road Company.

On motion of Mr. Skiles—

17. A bill to regulate the pay of the porter in the Auditor and Treasurer's office.

On motion of Mr. Cogar—

18. A bill to incorporate the Jessamine County Agricultural and Mechanical Association.

On motion of Mr. Griffith—

19. A bill for the benefit of Thos. Monarch, late tax collector of Daviess county.

On motion of Mr. Blue—

20. A bill for the benefit of the Crittenden Mercantile Association.

On motion of Mr. Chrisman—

21. A bill indemnifying the judges of this Commonwealth who may be fined for refusing persons of color to testify in the courts over which they preside.

Ordered, That the Committee on Religion prepare and bring in the 1st and 9th; the Committee on Corporate Institutions the 2d, 6th, 7th 13th, and 15th; the Committee on Privileges and Elections the 3d; the Committee on Revised Statutes the 4th; the Committee on Circuit Courts the 8th; the Committee on Propositions and Grievances the 5th; the Committee on Agriculture and Manufactures the 10th, 17th, and 18th; the Committee on Internal Improvement the 11th, 12th, and 16th; the Committee on County Courts the 14th; the Committee on Ways and Means the 19th; a select committee, consisting of Messrs. Blue, Silvertooth, Brents, and Riddle, the 20th; and a select committee, consisting of Messrs. McKee, Spalding, Chrisman, Barret, and Furber, the 21st.

The House took up from the orders of the day a bill, entitled

A bill to prohibit the sale of spirituous, vinous, or malt liquors in magistrates' district No. 2, in the county of Franklin.

Ordered, That said bill be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Combs, from the Committee on Internal Improvement, who were directed to prepare and bring in the same, reported

A bill appropriating five thousand dollars to the improvement of Red river.

Which was read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That the further consideration of said bill be postponed to, and made the special order of the day for, Thursday, the 2d day of March, at 11 o'clock, A. M.

Mr. T. H. Hays, from the Committee on Agriculture and Manufacturers, to whom was recommitted a bill, entitled

A bill to provide for the inspection of steam boilers, and the better protection of life and property against accidents arising from steam boiler explosions,

Reported the same without amendment.

Ordered, That the further consideration of said bill be postponed to, and that the same be made the special order of the day for, Friday, March 3d, at 11 o'clock, A. M.

Mr. Skiles, from the Committee on the Court of Appeals, who were directed to prepare and bring in the same, reported

A bill to regulate the compensation of the officers of the Court of Appeals.

Which was read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be recommitted to the Committee on Circuit Courts.

On motion of Mr. Hogan, the rules were suspended, and leave was given him to bring in and report the following bills, viz:

A bill establishing an additional magisterial and voting district in Glencoe, in Gallatin county.

A bill establishing an additional magisterial and voting district at Sparta, in Gallatin county.

Which were read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

On motion of Mr. Glass, the further consideration of a bill, entitled

A bill for the benefit of Haly & Brawner,

Was postponed to, and made the special order for, Wednesday, March 1st, at 11 o'clock, A. M.

Bills were reported by the several committees, who were directed to prepare and bring in the same, of the following titles, viz:

By Mr. Atherton, from the Committee on Privileges and Elections—

A bill for the benefit of the town of Hodgenville, in Larue county.

By Mr. Simmons, from a select committee—

A bill to amend the charter of the city of Covington.

By Mr. G. W. Anderson, from the Committee on Corporate Institutions—

A bill to incorporate the Louisville College of Pharmacy.

By Mr. Barret, from the Committee on Education—

A bill authorizing the trustees of the Silver Creek Academy to sell and convey the academy property, with power to reinvest the proceeds of the sale.

By same—

A bill to organize and establish a system of public schools in the city of Owensboro, for white children in said city.

By Mr. Combs, from the Committee on Internal Improvement—

A bill to incorporate the Mill Grove and Paint Lick Creek Turnpike Road Company, in Madison county.

By same—

A bill to incorporate Dreaming Creek Turnpike Road Company, in Madison county.

By Mr. Downing, from the same committee—

A bill to incorporate the Glasgow, Edmonton, and Burksville Turnpike Road Company.

By same—

A bill to incorporate the Logan's Creek, Dudderar's Mill, and White Oak Turnpike Road Company.

By Mr. Wrather, from the same committee—

A bill further to amend the charter of the Paducah, Benton, and Murray Gravel Road Company.

By Mr. McKee, from the Committee on Revised Statutes—

A bill to change the time of holding the February term of the Marion circuit court.

By same—

A bill for the benefit of W. J. Lile.

By same—

A bill to repeal an act, entitled "An act to change the road law in Kenton county," approved February 16, 1870.

By Mr. Burr, from the Committee on Corporate Institutions—

A bill to incorporate the Shepherdsville and Belmont Furnace Turnpike Road Company.

By Mr. Adams, from the Committee on Claims—

A bill for the benefit of George Robertson, of Casey county.

By Mr. Waring, from the Committee on Corporate Institutions—

A bill to incorporate the town of Casey's Mines, in Union county.

By Mr. G. W. Anderson, from the same committee—

A bill to amend the charter of Cave City, in Barren county.

By Mr. Furber, from the Committee on Banks—

A bill to incorporate the Farmers' and Traders' Bank of Shelbyville.

By Mr. Glass, from the same committee—

A bill to incorporate the Warehouse Banking Company.

By Mr. Burr, from the Committee on Corporate Institutions—

A bill to incorporate the district of Hayfield, in Campbell county.

By Mr. Hindman, from the Committee on Corporate Institutions—

A bill for the benefit of Greenville Hill Cemetery, in Woodford county.

By Mr. Griffith, from the same committee—

A bill to incorporate the Public Library of Kentucky.

By Mr Waring, from the same committee—

A bill to amend and reduce into one the acts incorporating the town of Paintsville.

By Mr. Pettus, from the Committee on Internal Improvement—

A bill to amend the charter of the Bethel and Owingsville Turnpike Road Company.

By same—

A bill to amend the charter of the Owingsville and Sherburn Turnpike Road Company.

By same—

A bill to amend the charter of the Owingsville, Sharpsburg, and Bald Eagle Turnpike Road Company.

Which were read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Bills from the Senate were reported, without amendment, by the committees to whom they had been referred, of the following titles, viz:

By Mr. Wrather, from the Committee on Internal Improvement—

An act to incorporate the Greensburg, Columbia, and New Haven Turnpike Road Company.

By Mr. G. W. Anderson, from the Committee on Corporate Institutions—

An act to change the western boundary of the city of Louisville.

By same—

An act to amend an act, entitled "An act to incorporate the Gethsemane Male and Female Academy, of Nelson county," approved February 21, 1868.

By Mr. McKee, from the Committee on Revised Statutes—

An act to amend chapter 103 of the Revised Statutes, title "Turnpike and Plank Roads."

By Mr. G. W. Anderson, from the Committee on Corporate Institutions—

An act to amend an act, entitled "An act to incorporate the Ohio Valley White Lead and Manufacturing Company, of Louisville," approved January 15, 1870.

Ordered, That said bills be read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Silvertooth, from the Committee on Circuit Courts, to whom was referred a bill from the Senate, entitled

An act to amend the 2d and 3d sections of an act, entitled "An act to establish the 16th judicial district," approved February 18, 1868, and to regulate the time for holding circuit courts therein,

Reported the same with a substitute therefor, by way of amendment thereto.

Which was adopted.

Ordered, That said bill, as amended, be read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with,

Resolved That said bill do pass, and that the title thereof be so amended as to read,

An act to amend the second and third sections of an act to establish the 16th judicial district, approved February 18, 1868.

A message was received from the Governor by Mr. Samuels, Assistant Secretary of State, announcing that he had approved and signed enrolled bills, which originated in the House of Representatives, of the following titles, viz :

An act concerning the titles of John C. King, H. J. Lewis and brother, and E. H. Bland, to certain real estate formerly owned by Lizardi Brothers, in the city of Louisville, State of Kentucky.

An act to incorporate the Lafayette and New Providence Turnpike Road Company.

An act for the benefit of the town of Tompkinsville, in Monroe county.

An act to abolish the July term of the Mercer circuit court.

An act to repeal an act, entitled "An act for the benefit of Rockcastle county, in relation to roads and passways."

An act to amend the charter of the Dover and Minerva Turnpike Road Company, in Mason county.

An act changing the boundary line between the counties of Laurel and Rockcastle.

An act for the benefit of Nicholas county.

An act to prohibit the sale of intoxicating liquors along the line of certain turnpike roads in Washington county.

An act to amend an act, entitled "An act to alter and amend the road law in Livingston county."

An act for the benefit of the citizens of Boston, in Whitley county.

An act to legalize second day's business of Mercer circuit court, November term, 1870.

An act to authorize Capital Lodge, No. 6, I. O. O. F., at Frankfort, to issue bonds.

An act to provide for the payment of grand and petit jurors of Mercer circuit court, at November term, 1870.

An act to incorporate the Shelbyville and Burk's Branch Turnpike Road Company.

An act to amend the charter of the Newport and Licking Turnpike and Plank Road Company.

Mr. McCreary, from the Committee on Railroads, who were directed to prepare and bring in the same, reported

A bill to amend the charter of the Louisville and Nashville Railroad,

Which was read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Mr. Skiles offered an amendment thereto, which was rejected.

Ordered, That said bill be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

According to order, the House took up for further consideration a bill from the Senate, entitled

An act to separate the offices of commissioner and receiver of the Louisville chancery court, and to provide for the appointment of said officers, and to define their duties, and to fix the fees of the commissioner,

And pending amendments.

Mr. Hindman moved that the bill and substitute be recommitted to a committee composed of Messrs. McKee, Blue, Pope, Cantrill, and Kendall, who are instructed to inquire into the expediency of repealing and re-enacting (with certain restrictions) an act to establish the Louisville chancery court; and if, in their opinion, they deem it expedient to do so, that they report bills to that effect; and if, in their judgment, it is inexpedient to repeal the act establishing the said court, that they report a bill to make certain restrictions of its jurisdiction in certain cases.

Mr. Combs moved the previous question.

And the question being stated, "Shall the main question be now put?" it was decided in the affirmative.

The question was then taken on the adoption of the motion moved by Mr. Hindman, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Hindman and McKee, were as follows, viz:

Those who voted in the affirmative, were—

William Adair,	John N. Furber,	George W. Riddle,
Silas Adams,	L. D. Good,	Robert Simmons,
Alpheus W. Bascom,	Clinton Griffith,	Henry H. Skiles,
Samuel W. Brents,	J. L. Hibbs,	George W. Terrell,
E. Burr,	J. R. Hindman,	A. D. Weller,
J. S. Chrisman,	Elijah Hogan,	L. Wilson,
F. R. Davis,	William Irwin, sr.,	John Wolf,
Asbury Dawson,	W. H. Pettus,	S. M. Wrather,
J. C. DeMoss,	W. V. Prather,	Hugh H. York—29.
James P. Ford,	G. W. Quick,	

Those who voted in the negative, were—

G. W. Anderson,	D. E. Downing,	James Kilgore,
J. M. Atherton,	H. G. Duerson,	William J. McElroy,
Wm. F. Barret,	M. W. Ferguson,	Mason Morris,
P. W. Barron,	Robert T. Glass,	Edward Myall,
Robert C. Beauchamp,	Ashton P. Harcourt,	Joshua B. Parks,
John W. Blue,	J. B. Hays,	E. A. Pearson,
D. M. Bowen,	T. H. Hays,	Alfred T. Pope,
Orlando C. Bowles,	A. J. Hendrickson,	G. W. Silvertooth,

William B. Caldwell,	R. E. Humphrey,	R. M. Spalding,
Landon Carter,	Elijah Hurst,	J. L. Waring,
I. B. Combs,	George M. Jessee,	John F. Wight—35.
George R. Diamond,	Alfred M. Jones,	

And so said motion was lost.

Mr. Glass then moved to reconsider the vote rejecting Mr. Hindman's motion.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Griffith and Glass, were as follows, viz:

Those who voted in the affirmative, were—

William Adair,	John N. Furber,	Wm. J. McElroy,
Silas Adams,	Robert T. Glass,	George R. McKee,
P. W. Barron,	L. D. Good,	W. H. Pettus,
Alpheus W. Bascom,	Clinton Griffith,	G. W. Quick,
James E. Cantrill,	J. L. Hibbs,	Wm. S. Richart,
J. S. Chrisman,	Jas. R. Hindman,	A. D. Weller,
J. C. DeMoss,	Elijah Hogan,	L. Wilson,
James P. Ford,	John W. Kendall,	John Wolf—24.

Those who voted in the negative, were—

George W. Anderson,	Asbury Dawson,	Edward Myall,
J. M. Atherton,	Geo. R. Diamond,	Joshua B. Parks,
Wm. F. Barret,	D. E. Downing,	E. A. Pearson,
Rob't C. Beauchamp,	M. W. Ferguson,	Alfred T. Pope,
John W. Blue,	J. B. Hays,	George W. Riddle,
D. M. Bowen,	Thomas H. Hays,	G. W. Silvertooth,
Orlando C. Bowles,	A. J. Hendrickson,	Robert Simmons,
Samuel W. Brents,	R. E. Humphrey,	Richard M. Spalding,
E. Burr,	Elijah Hurst,	George W. Terrell,
Wm. B. Caldwell,	George M. Jessee,	J. L. Waring,
Landon Carter,	Alfred M. Jones,	John F. Wight,
I. B. Combs,	James Kilgore,	S. M. Wrather,
Joseph M. Davidson,	James B. McCreary,	Hugh H. York—41.
F. R. Davis,	Mason Morris,	

And so the House refused to reconsider said vote.

Mr. G. W. Anderson then again moved the previous question.

And the question being stated, "Shall the main question be now put?" it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Adams and Quick, were as follows, viz:

Those who voted in the affirmative, were—

William Adair,	D. E. Downing,	E. A. Pearson,
George W. Anderson,	M. W. Ferguson,	W. H. Pettus,
J. M. Atherton,	J. B. Hays,	Alfred T. Pope,

Wm. F. Barret,	T. H. Hays,	W. V. Prather,
P. W. Barron,	A. J. Hendrickson,	George W. Riddle,
John W. Blue,	Elijah Hogan,	G. W. Silvertooth,
D. M. Bowen,	R. E. Humphrey,	Robert Simmons,
Orlando C. Bowles,	Elijah Hurst,	Richard M. Spalding,
Samuel W. Brents,	George M. Jessee,	J. L. Waring,
E. Burr,	Alfred M. Jones,	A. D. Weller,
William B. Caldwell,	James Kilgore,	John F. Wight,
I. B. Combs,	William J. McElroy,	L. Wilson,
Joseph M. Davidson,	Mason Morris,	S. M. Wrather,
F. R. Davis,	Edward Myall,	Hugh H. York—43.
George R. Diamond,	Joshua B. Parks,	

Those who voted in the negative, were—

Silas Adams,	Robert T. Glass,	James R. Hindman,
Alpheus W. Bascom,	L. D. Good,	George R. McKee,
James E. Cantrill,	Clinton Griffith,	G. W. Quick,
Asbury Dawson,	J. L. Hibbs,	Wm. S. Richart—13.
J. C. DeMoss,		

And so the main question was ordered to be put.

Mr. Glass moved that there be a call of the roll of the House.

The Speaker decided the motion of Mr. Glass to be out of order, as the last call of the roll showed a quorum to be present; and the main question was ordered.

From this decision of the Speaker Mr. Glass appealed to the House, and reduced his appeal to writing, as follows, viz:

The member from Henderson (Mr. Glass), upon the previous question being offered and ordered, made a motion that the roll be called; the Speaker decided that the motion was not in order; from that decision an appeal is made to the House.

The question being put, "Shall the decision of the Chair stand as the judgment of the House?" it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Griffith and Glass, were as follows, viz:

Those who voted in the affirmative, were—

William Adair,	Robert T. Glass,	E. A. Pearson,
G. W. Anderson,	Clinton Griffith,	W. H. Pettus,
Wm. F. Barret,	J. B. Hays,	Alfred T. Pope,
P. W. Barron,	T. H. Hays,	W. V. Prather,
John W. Blue,	A. J. Hendrickson,	George W. Riddle,
Orlando C. Bowles,	J. L. Hibbs,	George W. Silvertooth,
Samuel W. Brents,	Elijah Hogan,	Robert Simmons,
Landon Carter,	R. E. Humphrey,	Richard M. Spalding,
J. S. Chrisman,	Elijah Hurst,	George W. Terrell,
I. B. Combs,	Alfred M. Jones,	J. L. Waring,
Joseph M. Davidson,	William J. McElroy,	A. D. Weller,
Asbury Dawson,	George R. McKee,	John F. Wight,

J. C. DeMoss, Mason Morris, John Wolf,
George R. Diamond, Edward Myall, S. M. Wrather,
D. E. Downing, Joshua B. Parks, Hugh H. York—46.
M. W. Ferguson,

Those who voted in the negative, were—

J. M. Atherton, Jas. R. Hindman—2.

And so the decision of the Chair was sustained.

The substitute heretofore moved by Mr. Cantrill reads as follows, viz:

Strike out all after the enacting clause, and insert the following, viz:

§ 1. That an act, entitled "An act to establish the Louisville chancery court," approved February 28, 1835, and all acts and parts of acts amendatory and supplemental thereto, be, and the same are hereby, repealed.

§ 2. That this act shall be in force and take effect from and after the 10th day of March, 1871.

The question was then taken on the adoption of said substitute, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Cantrill and McKee, were as follows, viz:

Those who voted in the affirmative, were—

William Adair, J. C. DeMoss, W. H. Pettus,
Silas Adams, James P. Ford, W. V. Prather,
P. W. Barron, L. D. Good, G. W. Quick,
Alpheus W. Bascom, Clinton Griffith, Henry H. Skiles,
Rob't C. Beauchamp, J. L. Hibbs, George W. Terrell,
Samuel W. Brents, Elijah Hogan, A. D. Weller,
E. Burr, George R. McKee, John Wolf,
James E. Cantrill, Edward Myall, S. M. Wrather—25.
Asbury Dawson,

Those who voted in the negative, were—

George W. Anderson, M. W. Ferguson, William J. McElroy,
J. M. Atherton, Robert T. Glass, Mason Morris,
Wm. F. Barret, Ashton P. Harcourt, Joshua B. Parks,
John W. Blue, J. B. Hays, E. A. Pearson,
D. M. Bowen, T. H. Hays, Alfred T. Pope,
Orlando C. Bowles, A. J. Hendrickson, George W. Riddle,
Landon Carter, James R. Hindman, G. W. Silvertooth,
J. S. Chrisman, R. E. Humphrey, Robert Simmons,
I. B. Combs, Elijah Hurst, R. M. Spalding,
Joseph M. Davidson, George M. Jessee, J. L. Waring,
George R. Diamond, Alfred M. Jones, John F. Wight
D. E. Downing, James Kilgore, Hugh H. York—37.
H. G. Duerson,

And so said substitute was rejected.

The question was then taken on the adoption of the amendment proposed by Mr. Bright, and it was decided in the negative.

Ordered, That said bill, as amended, be read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with,

The question was then taken on the passage of said bill.

The yeas and nays being required thereon by Messrs. Cantrill and McKee, were as follows, viz :

Those who voted in the affirmative, were—

William Adair,	D. E. Downing,	Geo. R. McKee,
George W. Anderson,	M. W. Ferguson,	Joshua B. Parks,
J. M. Atherton,	Ashton P. Harcourt,	E. A. Pearson,
William F. Barret,	J. B. Hays,	W. H. Pettus,
P. W. Barron,	Thomas H. Hays,	Alfred T. Pope,
John W. Blue,	A. J. Hendrickson,	George W. Riddle,
D. M. Bowen,	James R. Hindman,	George W. Silvertooth,
Orlando C. Bowles,	Elijah Hogan,	Henry H. Skiles,
Samuel W. Brents,	R. E. Humphrey,	Richard M. Spalding,
E. Burr,	Elijah Hurst,	J. L. Waring,
Landon Carter,	George M. Jessee,	A. D. Weller,
I. B. Combs,	Alfred M. Jones,	John F. Wight,
Joseph M. Davidson,	James Kilgore,	S. M. Wrather,
George R. Diamond,	William J. McElroy,	Hugh H. York—42.

Those who voted in the negative, were—

Robert C. Beauchamp,	W. V. Prather,	Robert Simmons—4.
Asbury Dawson,		

No quorum voting, said bill and amendments were placed in the orders of the day.

And then the House adjourned.

MONDAY, FEBRUARY 27, 1871.

Hon. John T. Bunch, Speaker of the House, appeared and resumed the Chair.

A message was received from the Senate, announcing that they had passed bills, which originated in the House of Representatives, of the following titles, viz:

An act to amend an act, entitled "An act to charter the Stanford Female Seminary," approved February 26, 1869.

An act for the benefit of school district No. 8, in Calloway county.

An act to authorize the trustees of common school district No. 1, in Logan county, to levy and collect a tax for the purpose of erecting common school buildings in said district.

An act to amend the charter of the Old State Road and Ripple Creek Turnpike Company.

An act to amend the act to incorporate the town of Bellevue, in Campbell county.

An act to define and extend the corporate limits of the city of Dayton, in Campbell county.

An act to authorize the city of Dayton, in Campbell county, to establish common school system.

An act to amend and reduce into one the several acts relating to the charter and amendments thereto of the town of Mt. Sterling.

An act to regulate the recording of deeds made under order of the Louisville chancery court.

An act to amend the town charter of Tompkinsville, in Monroe county.

An act to change the time of holding the Ohio county quarterly court.

An act to authorize R. S. Mosely to make a cross-index to the suits of the Ohio county quarterly court.

An act to legalize the acts of Frank Walton and J. B. Finnel, deputy clerks of A. B. Parker, clerk of the Boone county court.

An act to increase the jurisdiction of the mayor of the city of Dayton, in Campbell county.

An act to amend the charter of the city of Dayton, in Campbell county, and for other purposes.

An act to establish C. L. S. Mathews as a citizen of Cumberland county.

An act to amend an act, entitled "An act establishing a new charter for the city of Louisville," approved the 3d day of March, 1870.

With amendments to the last four named bills.

That they had disagreed to a bill, which originated in the House of Representatives, entitled

An act to prohibit stock from running at large in the town of Booneville, Owsley county, or within one mile thereof.

That they had adopted a resolution, which originated in the House of Representatives, entitled

Resolution instructing our Senators and requesting our Representatives in Congress to oppose the passage of the Cincinnati Southern Railway bill.

With an amendment thereto.

And that they had passed bills of the following titles, viz:

1. An act to amend the charter of the Kentucky Masonic Mutual Life Insurance Company.

2. An act to amend the charter of the town of Wyoming.

3. An act to amend the charter of the town of Bethel.

4. An act in relation to the town marshal of Hartford, in Ohio county.

5. An act to change the time of holding the quarterly and county courts in the county of Green.

6. An act for the benefit of the Mercer county court.

7. An act to amend an act, entitled "An act to amend the 3d section, 2d article, 32d chapter, of the Revised Statutes."

8. An act for the benefit of the trustees of the town of Shelbyville.

9. An act to repeal an act, entitled "An act to define the line between the counties of Lewis and Carter," approved March 9, 1868.

10. An act to incorporate and endow Graves County Female Seminary.

11. An act to charter the Edgeworth Institute of Learning, in Lexington, Fayette county.

12. An act to amend an act, entitled "An act to incorporate the Harrodsburg, Duncansville, and Chaplain Turnpike Road Company."

13. An act for the benefit of Mercer county.

14. An act for the benefit of Kate Butler, wife of James L. Butler.

15. An act to amend an act, entitled "An act to tax incomes on United States bonds," approved March 8, 1867.

16. An act to provide for payment for books procured under the act approved March 21, 1870, entitled "An act regarding sheriffs in the Commonwealth of Kentucky."

17. An act to authorize the late judge of the Kenton county court to enter and sign certain judgments, orders, and returns, and to legalize the same.

18. An act to incorporate the Kentucky Statesman Printing Company.

19. An act for the benefit of George Mantle, of Blandville,

Which were read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

They were referred—the 1st to the Committee on Insurance; the 2d, 3d, and 18th to the Committee on Corporate Institutions; the 4th and 14th to the Committee on the Judiciary; the 5th, 6th, 9th, 17th, and 19th to the Committee on County Courts; the 7th to the Committee on Revised Statutes; the 8th to the Committee on Military Affairs; the 10th and 11th to the Committee on Education; the 12th to the Committee on Internal Improvement; the 13th to the Committee on Railroads; and the 15th and 16th to the Committee on Ways and Means.

A message was received from the Senate, announcing that they had adopted a resolution of the following title, viz:

Resolution in relation to claims against United States Government for tolls on Green and Barren river.

A message was received from the Governor by Mr. Samuels, Assistant Secretary of State, announcing that he had approved and signed enrolled bills and a resolution, which originated in the House of Representatives, of the following titles, viz:

An act to prevent the sale of spirituous, vinous, or malt liquors in the town of Mt. Washington, Bullitt county.

An act to prohibit the sale of spirituous, vinous, or malt liquors in the town of Woodbury, in Butler county, and within one half mile of the corporate limits of said town.

An act to re-enact an act, entitled "An act to amend the charter of the Owensboro and Russellville Railroad Company," approved February 1, 1868.

An act to amend an act, entitled "An act for the benefit of James Davis, of Knox county."

Resolution requesting Insurance Commissioner to make investigation of the affairs of certain insurance companies.

Mr. Bowles, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to incorporate the Paducah Hook and Ladder Company;

An act to amend the act, entitled "An act to incorporate the Shelbyville Cemetery Company," approved March 1, 1854;

An act to amend chapter 9 of title 10 of the Civil Code of Practice, entitled "Forcible Entry and Detainer;"

And had found the same truly enrolled.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Bowles inform the Senate thereof.

Mr. Glass presented the petition of sundry citizens of Henderson county, praying the formation of an additional voting precinct in said county.

Which was received, the reading dispensed with, and referred to the Committee on County Courts.

Leave was given to bring in the following bills, viz:

On motion of Mr. Barron—

1. A bill to secure the execution of the penal laws of the State in the counties of Clinton, Cumberland, and Monroe.

On motion of Mr. Hendrickson—

2. A bill to incorporate the town of Tollsboro, in Lewis county.

On motion of Mr. Lowe—

3. A bill to amend an act, entitled "An act to amend an act to authorize the Pendleton county court to raise money to build bridges, &c."

On motion of same—

4. A bill to amend an act, entitled "An act to create a special road law for Pendleton county."

On motion of same—

5. A bill to legalize certain acts of the Pendleton county court.

On motion of same—

6. A bill to authorize the Pendleton county court to borrow money for certain purposes.

On motion of Mr. Jessee—

7. A bill for the benefit of Isham Moody & Co., of Eminence, Henry county.

On motion of same—

8. A bill for the benefit of J. H. Moore, of Henry county.

On motion of same—

9. A bill for the benefit of Gen. E. Kirby Smith, formerly of Henry county.

Ordered, That the Committee on Circuits Courts prepare and bring in the 1st, 3d, 4th, 5th, and 6th; the Committee on Corporate Institutions the 2d, 7th, and 9th; and the Committee on Claims the 8th.

On motion, leave of absence, indefinitely, was granted Mr. Bright.

Mr. Chrisman, from the Committee on Claims, to whom was referred a bill from the Senate, entitled

An act for the benefit of John C. Broadhead,

Reported the same with an amendment thereto.

Which was adopted.

Ordered, That said bill, as amended, be read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Chrisman, from the Committee on Claims, to whom was recommitted a bill from the Senate, entitled

An act for the benefit of Gilman Trafton,

Reported the same without amendment, and without expression of opinion thereon by the committee.

Mr. Wilson moved to recommit said bill to the same committee.

And the question being taken on the motion of Mr. Wilson, it was decided in the negative.

The question was then taken, "Shall the bill be read a third time?" and it was decided in the negative.

And so said bill was disagreed to.

Mr. Cooper, from the Committee on Religion, to whom was referred a bill from the Senate, entitled

An act for the benefit of inebriates and their relatives,

Reported the same without amendment.

Mr. Price moved the following amendment, viz:

Add to the first section of the bill the following: *Provided*, That Fayette and Jefferson counties be exempted from the provisions of this bill.

The question was then taken on the adoption of said amendment, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Combs and Price, were as follows, viz:

Those who voted in the affirmative, were—

John W. Blue,	M. W. Ferguson,	Joshua B. Parks,
D. M. Bowen,	A. J. Hendrickson,	Alfred T. Pope,
I. B. Combs,	Elijah Hurst,	Douglass L. Price,
Asbury Dawson,	William Irwin, sr.,	G. W. Silvertooth,
J. C. DeMoss,	J. J. McAfee,	Henry H. Skiles—15.

Those who voted in the negative, were—

William Adair,	James P. Ford,	Edward Myall,
Silas Adams,	W. W. Frazer,	W. H. Pettus,
J. M. Atherton,	Robert T. Glass,	Elijah C. Phister,
Wm. F. Barret,	L. D. Good,	W. V. Prather,
P. W. Barron,	Clinton Griffith,	G. W. Quick,
Alpheus W. Bascom,	D. Hambleton,	William S. Richart,
Robert C. Beauchamp,	Ashton P. Harcourt,	George W. Riddle,
Orlando C. Bowles,	Ben. Hardin,	Robert Simmons,
Howell Brewer,	J. B. Hays,	R. M. Spalding,
E. Burr,	T. H. Hays,	George W. Terrell,
James E. Cantrill,	J. L. Hibbs,	J. L. Waring,
J. S. Chrisman,	J. R. Hindman,	A. D. Weller,
Thomas T. Cogar,	Elijah Hogan,	John F. Wight,
R. L. Cooper,	R. E. Humphrey,	L. Wilson,
Joseph M. Davidson,	Alfred M. Jones,	John Wolf,
F. R. Davis,	James Kilgore,	S. M. Wrather,
George R. Diamond,	William J. McElroy,	Hugh H. York—53.
D. E. Downing,	George R. McKee,	

Mr. Combs then moved an amendment to said bill, which was rejected.

Ordered, That said bill be read a third time.

Said bill was read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That any person having a license to sell spirituous, vinous, or malt liquors by the drink, shall be subject to a fine of twenty dollars for selling or giving, or permitting to be sold or given, to any known inebriate, any spirituous, vinous, or malt liquors, by the drink; and that for every violation of this act the wife, or any relative of the inebriate, may recover the said amount for her or his benefit, before any court of competent jurisdiction: *Provided*, That notice, in writing, that the person receiving such liquors is an inebriate, and forbidding the sale or giving of such liquors to him, shall have been first served on the person so giving or selling the same.

§ 2. This act shall take effect from its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Price and Combs, were as follows, viz:

Those who voted in the affirmative, were—

William Adair,	W. W. Frazer,	E. A. Pearson,
Silas Adams,	Robert T. Glass,	W. H. Pettus,
Wm. F. Barret,	L. D. Good,	Elijah C. Phister,
P. W. Barron,	D. Hambleton,	W. V. Prather,
Alpheus W. Bascom,	Ashton P. Harcourt,	G. W. Quick,
Rob't C. Beauchamp,	Ben. Hardin,	William S. Richart,
D. M. Bowen,	J. B. Hays,	George W. Riddle,
Orlando C. Bowles,	A. J. Hendrickson,	Robert Simmons,
E. Burr,	J. L. Hibbs,	Henry H. Skiles,
James E. Cantrill,	James R. Hindman,	R. M. Spalding,
J. S. Chrisman,	Elijah Hogan,	George W. Terrell,
Thomas T. Cogar,	R. E. Humphrey,	J. L. Waring,
R. L. Cooper,	Elijah Hurst,	A. D. Weller,
Joseph M. Davidson,	George M. Jessee,	John F. Wight,
F. R. Davis,	John W. Kendall,	L. Wilson,
Asbury Dawson,	J. J. McAfee,	John Wolf,
D. E. Downing,	William J. McElroy,	S. M. Wrather,
M. W. Ferguson,	George R. McKee,	Hugh H. York—56.
James P. Ford,	Edward Myall,	

Those who voted in the negative, were—

Mr. SPEAKER (Bunch),	Wm. Irwin, sr.,	Joshua B. Parks,
J. M. Atherton,	Alfred M. Jones,	Alfred T. Pope,
Howell Brewer,	James Kilgore,	Douglass L. Price,
I. B. Combs,	Thomas H. Moss,	G. W. Silvertooth—12.

Resolved, That the title thereof be as aforesaid.

Mr. Cooper, from the Committee on Religion, to whom was referred a bill from the Senate, entitled

An act to prohibit the sale of ardent spirits in Boyd county,

Reported the same without amendment.

On motion of Mr. Cooper, said bill was recommitted to the Committee on the Judiciary.

On motion of Mr. Blue, the further consideration of a bill, entitled

A bill to provide for the improvement of Tradewater river,

Was postponed to, and made the special order of the day for, Wednesday, March 1st, at 10½ o'clock.

The House then took up from the orders of the day a bill from the Senate, entitled

An act to separate the offices of commissioner and receiver of the Louisville chancery court, and to provide for the appointment of said officers, and to define their duties, and to fix the fees of the commissioner.

The question was again taken on the passage of said bill, and it was decided in the affirmative.

Resolved, That the title of said bill be as aforesaid.

On motion of Mr. Barret, the House took up from the orders of the day, and resumed the consideration of, a bill, entitled

A bill to amend an act, entitled "An act to revise, amend, and reduce into one the laws relating to the common schools in Kentucky."

Mr. DeMoss offered an amendment to said bill, which was rejected.

Mr. Blue offered an amendment, which was adopted.

Amendments were also offered by the committee, which were adopted.

Ordered, That said bill, as amended, be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Bills from the Senate were reported, without amendment, by the committees to whom they had been referred, of the following titles, viz:

By Mr. DeMoss, from the Committee on Ways and Means—

An act to amend an act, entitled, "An act to incorporate the Gaylord Iron and Manufacturing Company," approved March 16, 1869.

By Mr. Waring, from the Committee on Corporate Institutions—

An act to amend the charter of the city of Ludlow.

By Mr. Spalding, from the Committee on Ways and Means—

An act for the benefit of the sureties of H. M. Wade, late sheriff of Marshall county, on his revenue bond for the year 1869.

Ordered, That said bills be read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Bills were reported by the several committees who were directed to prepare and bring in the same, of the following titles, viz:

By Mr. Downing, from a select committee—

A bill to authorize the citizens of Knox county to vote a tax for the purpose of constructing public buildings.

By Mr. Harcourt, from the Committee on Circuit Courts—

A bill to prohibit the sale of intoxicating liquors in the county of Bullitt.

By Mr. Pettus, from the Committee on Internal Improvement—

A bill to incorporate the Maux Branch Turnpike Road Company.

By Mr. Cooper, from the Committee on Education—

A bill authorizing the trustees of school district No. 2, in Hickman county, to levy and collect a tax for school purposes.

By Mr. Downing, from the Committee on Internal Improvement—

A bill to regulate the collection of tolls on such parts of the Russell Turnpike Road, in Fayette county, and the Centreville and Jacksonville Turnpike Roads, as are without gates.

By Mr. Cooper, from the Committee on Religion—

A bill for the benefit of the Presbyterian Church in the town of Winchester.

By Mr. T. H. Hays, from the Committee on Agriculture and Manufactures—

A bill to amend an act incorporating the Northeastern Kentucky Agricultural Association, approved February 22d, 1860, and to legalize the election of officers heretofore, and their acts as such.

By Mr. Waring, from the Committee on Corporate Institutions—

A bill for the benefit of O. C. Bowles and George N. Brown, and their associates, lessees, and vendees.

By Mr. Richart, from the Committee on Claims—

A bill for the benefit of Jas. F. Carson, of Rockcastle county.

By Mr. Cooper, from the Committee on Religion—

A bill for the benefit of Green McCracken, of Laurel county.

By same—

A bill to regulate the sale of intoxicating drinks within one half mile of South Kentucky Fair Grounds.

By Mr. Barret, from the Committee on Education—

A bill to establish a public school for colored children in the city of Henderson.

By same—

A bill to amend the charter of the city of Henderson.

By same—

A bill for the better organization of public schools in the city of Lexington.

By same—

A bill for the benefit of common school district, No. 26 (Carlisle district), in Nicholas county.

Which were read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Barret, from the Committee on Education, who were directed to prepare and bring in the same, reported

A bill to require common school commissioners and county attorneys in the respective counties, to report on the condition of the fund known as the County Seminary Fund.

Which was read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Mr. Glass offered an amendment to said bill.

Pending discussion thereon,

The House adjourned.

TUESDAY, FEBRUARY 28, 1871.

The following petition and remonstrance were presented, viz:

By Mr. Humphrey—

1. The petition of citizens of McLean and Muhlenburg counties, praying the establishment of a new county out of parts thereof.

By Mr. T. H. Hays—

2. The remonstrance of citizens of Sonora and neighborhood, against the passage of an act prohibiting the sale of spirituous liquors in said town, or within one mile thereof.

Which were received, the reading dispensed with, and referred—the 1st to the Committee on Propositions and Grievances, and the 2d to the Committee on Religion.

Mr. Bowles, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the Senate, of the following titles, viz:

An act to amend an act, entitled "An act to incorporate the Gethsemane Male and Female Academy, of Nelson county," approved February 21, 1868;

An act for the benefit of Henry B. Wiseman, of Estill county;

And also enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to change the western boundary of the city of Louisville;

An act to amend an act, entitled "An act to incorporate the Ohio Valley White Lead and Manufacturing Company, of Louisville," approved January 15, 1870;

An act for the benefit of W. W. Montague;

An act to amend chapter 103 of the Revised Statutes, title "Turnpike and Plank Roads;"

And also enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to amend an act, entitled "An act to charter the Stanford Female Seminary," approved February 26, 1869;

An act for the benefit of school district No. 8, in Calloway county;

An act to authorize the trustees of common school district No. 1, in Logan county, to levy and collect a tax for the purpose of erecting common school buildings in said district;

An act to amend an act to incorporate the town of Bellevue, in Campbell county;

An act to define and extend the corporate limits of the city of Dayton, in Campbell county.

An act to amend the town charter of Tompkinsville, in Monroe county;

An act to change the time of holding the Ohio county quarterly court;

An act to authorize R. S. Mosely to make a cross-index to the suits of the Ohio county quarterly court;

An act to legalize the acts of Frank Walton and J. B. Finnel, deputy clerks of A. B. Parker, clerk of the Boone county court;

An act in relation to recording deeds made under order of the Louisville chancery court;

And had found the same truly enrolled.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Bowles inform the Senate thereof.

A message was received from the Senate, announcing that they had received official information that the Governor had approved and signed enrolled bills, which originated in the Senate, of the following titles, viz:

An act regulating appeals from the police court of Bardstown.

An act for the benefit of Margaret Grief, of McCracken county.

An act to amend an act, entitled "An act to authorize the St. Louis Bertrand Society, of the city of Louisville, to issue mortgage bonds."

That they had concurred in the amendment proposed by the House of Representatives to a bill, which originated in the Senate, entitled

An act to separate the offices of commissioner and receiver of the Louisville chancery court, and to provide for the appointment of said officers, and to define their duties, and to fix the fees of the commissioner.

That they had passed bills, which originated in the House of Representatives, of the following titles, viz:

An act to establish the weight of Rockcastle coal.

An act to amend the charter of the town of Cloverport.

An act to define and locate the county line between Breathitt and Lee counties, near the store-house of J. & W. R. Crawford.

An act to amend the charter of the town of Cromwell, in Ohio county.

An act to amend an act to regulate the sale and storage of illuminating oils, as far as same applies to Ohio county.

And that they had passed bills of the following titles, viz:

1. An act for the benefit of the county court of Wolfe county.

2. An act to change the time of holding the county and quarterly courts of Lee county.

3. An act for the benefit of Thomas Cook, James Root, John E. White, and Howell Brewer.

4. An act to amend an act, entitled "An act to amend and reduce into one all acts in relation to the incorporation of the town of Morgantown."

5. An act to amend section 17, article 2, chapter 56, Revised Statutes, title "Landlord and Tenant."

Which were read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That they be referred—the 1st and 2d to the Committee on County Courts; the 3d to the Committee on Claims; the 4th to the Committee on Corporate Institutions; and the 5th to the Committee on Revised Statutes.

The House took up the amendments proposed by the Senate to a bill, which originated in the House of Representatives, entitled

An act to amend an act, entitled "An act establishing a new charter for the city of Louisville," approved the 3d day of March, 1870.

Said amendments were concurred in.

Mr. Wilson moved to reconsider the vote by which the House passed a bill, entitled

A bill to amend an act, entitled "An act to revise, amend, and reduce into one the laws relating to the common schools of Kentucky."

And the question being taken thereon, it was decided in the negative.

And so said motion was rejected.

The House then took up, and proceeded to consider further a bill, entitled

A bill to require common school commissioners and county attorneys, in the respective counties, to report on the condition of the fund known as the County Seminary Fund.

The amendment moved by Mr. Glass on yesterday was adopted.

Mr. Adair moved an amendment, which was also adopted.

Ordered, That said bill, as amended, be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Barret, from the Committee on Education, who were directed to prepare and bring in the same, reported

A bill for the benefit of school district No. 3, in Simpson county.

Which was read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

Said bill being engrossed, was read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the school commissioner of Simpson county be, and is hereby, authorized to draw his warrant on the Treasury for the school fund apportioned school district No. 3, in Simpson county, for the school year ending June 30th, 1871, and apply the same to pay the expense of said school; and in case no school is taught in said district for said year, to apply the same for the construction of a school house for said district.

§ 2. That this act shall have effect from the date of its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Hardin and Wight, were as follows, viz:

Those who voted in the affirmative, were—

P. W. Barron,	James P. Ford,	W. V. Prather,
Alpheus W. Bascom,	W. W. Frazer,	Douglass L. Price,
Robert C. Beauchamp,	Robert T. Glass,	G. W. Quick,
Thomas T. Cogar,	Clinton Griffith,	Wm. S. Richart,
I. B. Combs,	D. Hambleton,	George W. Silvertooth,
Joseph M. Davidson,	J. B. Hays,	Robert Simmons,
F. R. Davis,	Elijah Hogan,	Henry H. Skiles,
Asbury Dawson,	Wm. Irwin, sr.,	R. M. Spalding,
George R. Diamond,	George M. Jessee,	Geo. W. Terrell,
D. E. Downing,	Wm. J. McElroy,	L. Wilson,
John Duvall,	Mason Morris,	S. M. Wrather—35.
M. W. Ferguson,	Thomas H. Moss,	

Those who voted in the negative, were—

Mr. SPEAKER (Bunch),	L. D. Good,	Joshua B. Parks,
William Adair,	Ashton P. Harcourt,	W. H. Pettus,
J. M. Atherton,	Ben. Hardin,	Elijah C. Phister,
Wm. F. Barret,	T. H. Hays,	Alfred T. Pope,
John W. Blue,	A. J. Hendrickson,	George W. Riddle,
Howell Brewer,	J. L. Hibbs,	J. L. Waring,
James E. Cantrill,	James R. Hindman,	A. D. Weller,
R. L. Cooper,	James Kilgore,	John F. Wight,
J. C. DeMoss,	George R. McKee,	John Wolf,
N. C. Dille,	Edward Myall,	Hugh H. York—30.

Resolved, That the title of said bill be as aforesaid.

A message was received from the Senate, requesting to withdraw from the House the announcement of the passage by the Senate of a bill, which originated in the House of Representatives, entitled

An act authorizing and directing the sale of the interest and stock owned by the State of Kentucky in turnpike roads or turnpike road companies,

Leave to withdraw said announcement was granted, and the bill returned to the Senate.

Mr. DeMoss, from the Committee on Education, who originated the same, reported

A bill for the benefit of the Auditor of Public Accounts and others.

Which was read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

Said bill was read a third time as follows, viz:

WHEREAS, Under the general school law, passed at the last session of this General Assembly, the labor in the offices of the Auditor of Public Accounts, Superintendent of Public Instruction, and State Treasurer, was greatly increased; and whereas, no provision was made in said law to compensate the aforesaid public officers for the said extra labor so imposed upon their respective departments; therefore,

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the Auditor of Public Accounts be, and he is hereby, authorized to draw his warrant on the Treasurer, in favor of himself, for the benefit of clerk hire, for the sum of ($200) two hundred dollars, and in favor of the Superintendent of Public Instruction, for the benefit of clerk hire, for the sum of two hundred dollars ($200), and in favor of the State Treasurer, for the benefit of clerk hire, for the sum of one hundred dollars ($100).

§ 2. The amounts so appropriated shall be paid out of any surplus moneys belonging to the school fund not otherwise appropriated.

§ 3. This act shall take effect from and after its passage.

The question was then taken on the passage of said bill, and it was decided in the negative.

The yeas and nays being required thereon, in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Bunch),	Asbury Dawson,	W. V. Prather,
Silas Adams,	J. C. DeMoss,	Douglass L. Price,
W. F. Barret,	John Duvall,	Geo. W. Silvertooth,
P. W. Barron,	James P. Ford,	Henry H. Skiles,
Alpheus W. Bascom,	R. T. Glass,	Richard M. Spalding,
John W. Blue,	T. H. Hays,	Geo. W. Terrell,
Orlando C. Bowles,	Alfred M. Jones,	J. L. Waring,
Thomas T. Cogar,	John W. Kendall,	L. Wilson,
R. L. Cooper,	E. A. Pearson,	S. M. Wrather—28.
Joseph M. Davidson,		

Those who voted in the negative, were—

Wm. Adair,	D. Hambleton,	Mason Morris,
J. M. Atherton,	Ben. Hardin,	Thomas H. Moss,
R. C. Beauchamp,	J. B. Hays,	Joshua B. Parks,
D. M. Bowen,	A. J. Hendrickson,	W. H. Pettus,
Wm. B. Caldwell,	J. L. Hibbs,	Elijah C. Phister,
James E. Cantrill,	James R. Hindman,	Alfred T. Pope,
I. B. Combs,	Elijah Hogan,	G. W. Quick,
F. R. Davis,	R. E. Humphrey,	Wm. S. Richart,
D. E. Downing,	William Irwin, sr.,	Robert Simmons,
H G. Duerson,	George M. Jessee,	A. D. Weller,
M. W. Ferguson,	James Kilgore,	John F. Wight,
W. W. Frazer,	William J. McElroy,	John Wolf,
L. D. Good,	George R. McKee,	Hugh H. York—39.

And so said bill was rejected.

Mr. Hambleton moved to reconsider said vote.

The House then took up the amendments proposed by the Senate to the preamble and resolutions heretofore adopted by this House, entitled

Resolution instructing our Senators and requesting our Representatives in Congress to oppose the passage of the Cincinnati Southern Railway bill.

Said amendments were concurred in.

The House took up the motion to reconsider the vote by which this House rejected a bill, entitled

A bill to appropriate money to finish the fire-proof offices in the city of Frankfort, and for other purposes.

And the question being taken thereon, it was decided in the affirmative.

And so said vote was reconsidered.

Mr. Bowen then moved to reconsider the vote by which said bill was ordered to be read a third time.

And the question being taken thereon, it was decided in the affirmative.

And so said vote was reconsidered.

Mr. Atherton then moved a substitute, by way of amendment, for said bill.

Amendments to the amendment of Mr. Atherton were moved by Messrs. Price and Spalding, which were rejected.

The question was then taken on the adoption of the amendment proposed by Mr. Atherton, and it was decided in the affirmative.

Ordered, That said bill, as amended, be engrossed and read a third time.

Said bill being engrossed, was read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the sum of fifty-five thousand dollars be, and the same is hereby, appropriated, out of any money in the Treasury not otherwise appropriated, to be paid in current funds, as hereinafter provided, for the purpose of furnishing the apartments and fire-proof rooms for the offices of the State, required by law to be kept at the Seat of Government, now in course of construction in the city of Frankfort.

§ 2. The commissioners, under whose supervision the work shall be done, shall consist of the Governor of the State, and two other members to be appointed by the Governor, and confirmed by the Senate, who shall have power to employ an architect or superintendent, and to make contracts for the completion of the apartments and fire-proof offices: *Provided*, That no contractor heretofore employed on the building shall be permitted to continue his work under any existing contract, or shall be employed in any contract hereafter to be made.

§ 3. The commissioners appointed by act, approved February ——, 1869, to contract for and superintend the erection of the fire-proof offices, shall have power to close the contracts made by them for any work on said building as they think just and proper, and shall present a complete list of outstanding debts contracted by them in the erection of the building, including the $10,000 borrowed by them from the banks, or so much thereof as has been expended in said building, for the payment of which debts the commissioners appointed by this act shall draw their warrant on the Auditor, in favor of the former commissioners; but nothing in this act shall be con-

strued to interfere with the legality of any existing contract, or the right of the first commissioners to reclamation for indifferent work, or violation of any contract by them made.

§ 4. If a list of all outstanding debts is not and cannot, in consequence of any litigation, or other cause, be presented in thirty days after the approval of this act, the former commissioners shall present a list of such debts as far as they can; which debts shall be paid as provided in the preceding section, and the commissioners appointed by this act shall expend the balance of this appropriation in completing the apartments and fire-proof offices.

§ 5. The commissioners shall pay to John Andrewartha, of Louisville, and D. J. Thomas, of Covington, $100 each, for services rendered under direction of the special committee of the House of Representatives, and to Clinton Griffith, the chairman, $2 for telegraphic dispatches.

§ 6. This act shall take effect from and after its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon, in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Bunch),	M. W. Ferguson,	Edward Myall,
William Adair,	James P. Ford,	Joshua B. Parks,
J. M. Atherton,	W. W. Frazer,	E. A. Pearson,
Wm. F. Barret,	Robert T. Glass,	Elijah C. Phister,
John W. Blue,	Clinton Griffith,	Alfred T. Pope,
D. M. Bowen,	D. Hambleton,	W. V. Prather,
Orlando C. Bowles,	Ben. Hardin,	Douglass L. Price,
Howell Brewer,	T. H. Hays,	G. W. Quick,
E. Burr,	J. L. Hibbs,	William S. Richart,
William B. Caldwell,	J. R. Hindman,	George W. Riddle,
Thomas T. Cogar,	Elijah Hogan,	G. W. Silvertooth,
I. B. Combs,	Elijah Hurst,	Robert Simmons,
R. L. Cooper,	William Irwin, sr.,	R. M. Spalding,
Joseph M. Davidson,	George M. Jessee,	George W. Terrell,
F. R. Davis,	Alfred M. Jones,	J. L. Waring,
George R. Diamond,	John W. Kendall,	A. D. Weller,
N. C. Dille,	James Kilgore,	John F. Wight,
D. E. Downing,	Francis M. Lowe,	John Wolf,
H. G. Duerson,	George R. McKee,	S. M. Wrather,
John Duvall,	Thomas H. Moss,	Hugh H. York—60.

Those who voted in the negative, were—

Silas Adams,	L. D. Good,	William J. McElroy,
P. W. Barron,	J. B. Hays,	W. H. Pettus,
Alpheus W. Bascom,	A. J. Hendrickson,	Henry H. Skiles,
Robert C. Beauchamp,	R. E. Humphrey,	L. Wilson—13.
Asbury Dawson,		

Resolved, That the title thereof be so amended as to read,

An act providing for the completion of the fire-proof offices in the city of Frankfort.

Mr. Phister then moved to reconsider the vote by which said bill was passed.

Mr. Bowen moved to lay the motion of Mr. Phister on the table.

And the question being taken on the motion of Mr. Bowen, it was decided in the affirmative.

Mr. Caldwell moved the following joint resolution, which was adopted, viz :

Resolved by the General Assembly of the Commonwealth of Kentucky, That the resolution heretofore adopted by both Houses for the adjournment of this General Assembly on the 1st day of March next, be, and the same is hereby, rescinded.

The rule requiring joint resolutions to lie on the table one day being suspended, the said resolution was taken up, twice read, and adopted.

Mr. Bowles, from the Committee on Enrollments, reported that the committee had examined an enrolled bill, which originated in the Senate, entitled

An act to separate the offices of commissioner and receiver of the Louisville chancery court, and to provide for the appointment of said officers, and to define their duties, and to fix the fees of the commissioner;

And had found the same truly enrolled.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Bowles inform the Senate thereof.

Mr. Barret, from the Committee on Education, to whom was referred bills from the Senate, of the following titles, viz :

An act to amend an act, entitled "An act to revise, amend, and reduce into one the laws relating to the common schools in Kentucky," approved March 21, 1870.

An act for the benefit of common school commissioners of this Commonwealth.

An act for the benefit of common school district No. 4, in Green county.

Reported the same without amendment, and with the expression of opinion that said bills ought not to pass.

And the question being taken on each, "Shall the bills be ordered to be read a third time?" it was decided in the negative.

And so said bills were disagreed to.

Bills were reported by the several committees, who were directed to prepare and bring in the same, of the following titles, viz :

By Mr. Blue, from the Committee on Education—

A bill directing the purchase of Collins' Historical Sketches of Kentucky.

By Mr. Griffith, from a select committee—

A bill to change the time of payment of the revenue into the State Treasury, and amend the revenue laws.

Which were read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

Mr. Hibbs moved an amendment to the last named bill.

Ordered, That the further consideration of said bills be postponed to, and made the special order of the day for, to-morrow—the first at 12 o'clock, M., and the 2d at 11 o'clock, A. M.

Mr. Barret, from the Committee on Education, to whom was referred a bill from the Senate, entitled

An act transferring the property of, and debts owing to, the trustees of the Harrodsburg Academy, known also as the Mercer County Seminary, to the board of trustees of the town of Harrodsburg, for common school purposes, and authorizing said board to sue for the same,

Reported the same with an amendment thereto.

Said amendment was adopted.

Ordered, That said bill, as amended, be read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Bills from the Senate were reported, without amendment, by the committees to whom they had been referred, of the following titles, viz :

By Mr. Glass, from the Committee on Banks—

An act to amend the charter of the Deposit Bank of Eminence.

By Mr. Barret, from the Committee on Education—

An act to incorporate and endow Graves County Female Seminary.

By same—

An act to incorporate the Kentucky High School at Frankfort.

By same—

An act for the benefit of Dallasburg school district, in Owen county.

By same—

An act to charter the Edgeworth Institute of Learning, in Lexington, Fayette county.

By same—

An act to amend an act incorporating the Vanceburg Male and Female Academy.

Ordered, That said bills be read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Leave was given to bring in the following bills, viz:

On motion of Mr. Price—

1. A bill to incorporate the Athens and Walnut Hill Turnpike Road Company.

On motion of Mr. Phister—

2. A bill to incorporate the Bank of Maysville.

On motion of Mr. Parks—

3. A bill to amend the charter of the city of Louisville, in regard to parents living in the country sending their children to the city schools.

On motion of Mr. Skiles—

4. A bill to amend an act, entitled "An act to incorporate the Bowling Green Manufacturing Company."

On motion of same—

5. A bill to change the boundary of the town of Bowling Green.

On motion of Mr. Wrather—

6. A bill to restrict the jurisdiction of the Louisville chancery court in cases arising out of the repeal of certain insurance charters.

On motion of Mr. Jessee—

7. A bill to amend the turnpike tax law of Henry county.

On motion of same—

8. A bill for the benefit of W. A. Holland, of Henry county.

On motion of same—

9. A bill in regard to the levy court of Henry county.

On motion of same—

10. A bill to amend an act incorporating the Eagle Petroleum and Mineral Company.

On motion of Mr. Hambleton—

11. A bill for the benefit of the town of Cloverport, and to discontinue a portion of Front street and a portion of Third cross street, and to authorize the trustees to sell and convey the same.

On motion of same—

12. A bill to prevent the sale of spirituous liquors in the town of Bewleyville, in Breckinridge county, on the Sabbath day.

Ordered, That the Committee on Internal Improvement prepare and bring in the 1st; the Committee on Banks the 2d; the Committee on Education the 3d; the Committee on Corporate Institutions the 4th, 5th, and 10th; the Committee on Revised Statutes the 6th; the Committee on County Courts the 7th, 8th, 9th, and 11th; and the Committee on Religion the 12th.

Bills were reported by the several committees, who were directed to prepare and bring in the same, of the following titles, viz:

By Mr. Glass, from the Committee on Banks—

A bill to incorporate the Bank of Maysville.

By Mr. Duvall, from the Committee on County Courts—

A bill to prohibit the sale of intoxicating liquors in district No. 9, in Meade county.

By same—

A bill to extend the time to the Hart county court in which to build fire-proof vaults.

By same—

A bill changing the time of holding the Montgomery quarterly court.

By same—

A bill to establish an additional justices' district in Cumberland county.

By same—

A bill to allow the county court of Marshall county to purchase Stanton's Treatise.

By Mr. Barret, from the Committee on Education—

A bill to amend an act, entitled "An act for the benefit of the county school fund of Pendleton county," approved March 21, 1870.

By Mr. DeMoss, from the same committee—

A bill for the benefit of common school district No. 31, in Bullitt county.

By Mr. T. H. Hays, from the same committee—

A bill for the benefit of common school district No. 19, in Montgomery county.

By same—

A bill to amend an act, entitled "An act to amend and re-enact an act to authorize common school district No. 7, in Washington county, to levy a tax for school purposes, approved March 11, 1867," approved February 3, 1870.

By same—

A bill for the benefit of common school districts in Clinton county.

By same—

A bill for the benefit of school district No. 6, in Robertson county.

By Mr. Cooper, from the same committee—

A bill to establish a graded school at St. James', late Shelby College, in Shelbyville.

Which were read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

On motion, leave of absence, indefinitely, is granted Mr. Thurmond.

And then the House adjourned.

WEDNESDAY, MARCH 1, 1871.

Mr. Weller presented the petition of citizens of Leitchfield, praying the passage of a law prohibiting the sale of intoxicating liquors as a beverage in said town.

Which was received, the reading dispensed with, and referred to the Committee on Religion.

Leave was given to bring in the following bills, viz :

On motion of Mr. Burr—

1. A bill authorizing the county judge of Logan county to appropriate money.

On motion of Mr. Spalding—

2. A bill to establish an additional voting place in the city of Lebanon.

Ordered, That the Committee on Ways and Means prepare and bring in the 1st, and the Committee on Privileges and Elections the 2d.

Mr. Price read and laid on the table the following joint resolution, viz:

WHEREAS, Master Nevil Cain, a young artist of great promise, a native of Kentucky, has, at the suggestion of the friends and admirers of Chief Justice Robertson, produced a fine portrait of that distinguished jurist; and whereas, it is desirable that the State of Kentucky should procure the same, in order that it may be preserved in memory of that illustrious man; therefore,

Resolved by the General Assembly of the Commonwealth of Kentucky, That the said portrait be purchased by the Governor for the State, at the price of ——— dollars; and the Auditor of Public Accounts shall draw his warrant on the Treasurer in favor of the said Nevil Cain for said sum, to be paid out of any money in the Treasury not otherwise appropriated; and that said portrait be carefully preserved in the court-room in the Capitol

Leave of absence, indefinitely, was granted Messrs. Ferguson and Carter.

A message was received from the Governor by Mr. Samuels, Assistant Secretary of State, announcing that he had approved and signed enrolled bills, which originated in the House of Representatives, of the following titles, viz :

An act to amend chapter 9 of title 10 of the Civil Code of Practice, entitled "Forcible Entry and Detainer."

An act to incorporate the Paducah Hook and Ladder Company.

An act to legalize the acts of Frank Walton and J. B. Finnel, deputy clerks of A. B. Parker, clerk of the Boone county court.

An act to amend an act, entitled "An act to charter the Stanford Female Seminary," approved February 26, 1869.

An act for the benefit of school district No. 8, in Calloway county.

An act to change the time of holding the Ohio county quarterly court.

An act in relation to recording deeds made under order of the Louisville chancery court.

An act to define and extend the corporate limits of the city of Dayton, in Campbell county.

An act to authorize the trustees of common school district No. 1, in Logan county, to levy and collect a tax for the purpose of erecting common school buildings in said district.

An act to authorize R. S. Mosely to make a cross-index to the suits of the Ohio county quarterly court.

An act to amend the act to incorporate the town of Bellevue, in Campbell county.

An act to amend the town charter of Tompkinsville, in Monroe county.

A message was received from the Senate, announcing that they had passed a bill, which originated in the House of Representatives, entitled

An act to change and fix the time of holding the common pleas court in McCracken and Ballard counties.

With an amendment thereto.

Mr. Wrather, from the Committee on Internal Improvement, who were directed to prepare and bring in the same, reported

A bill to incorporate the Tradewater Coal and Transportation Company.

Which was read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Cooper, from the Committee on Education, to whom was referred a bill from the Senate, entitled

An act to cause good school-houses to be erected in the Eighth and Ninth Congressional Districts,

Reported the same without amendment, and with the expression of opinion that said bill ought not to pass.

Mr. Cooper then moved an amendment to said bill.

On motion of Mr. Phister, said bill and amendment were recommitted to the Committee on Education, with instructions to report thereon on Friday, 3d inst., at 10½ o'clock, A. M.

The House, according to order, took up for further consideration a bill, entitled

An act for the benefit of the Kentucky River Navigation Company and others.

Mr. Cogar then moved a substitute, by way of amendment, for said bill.

Ordered, That said amendment be printed, and that said bill and amendment be made the special order of the day for Tuesday, 7th inst., at 10 o'clock, A. M.

Mr. Bowles, from the Committee on Enrollments, reported that the committee had examined an enrolled bill, which originated in the Senate, entitled

An act to incorporate the Greensburg, Columbia, and New Haven Turnpike Road Company;

And also enrolled bills and a joint resolution, which originated in the House of Representatives, of the following titles, viz:

An act to establish the weight of Rockcastle coal;

An act to amend the charter of the town of Cloverport;

An act to authorize the city of Dayton, in Campbell county, to establish common school system;

An act to define and locate the county line between Breathitt and Lee counties, near the store-house of J. & W. R. Crawford;

An act to amend and reduce into one the several acts relating to the charter and amendments thereto of the town of Mt. Sterling;

An act to amend the charter of the town of Cromwell, in Ohio county;

An act to amend an act to regulate the sale and storage of illuminating oils, so far as same applies to Ohio county;

An act to amend an act, entitled "An act establishing a new charter for the city of Louisville," approved the 3d day of March, 1870;

Resolution instructing our Senators and requesting our Representatives in Congress to oppose the passage of the Cincinnati Southern Railway bill;

And had found the same truly enrolled.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Bowles inform the Senate thereof.

According to order, the House took up for further consideration a bill, entitled

A bill to provide for the improvement of Tradewater river, and the amendments proposed to said bill.

The question was then taken on the motion of Mr. Simmons to reconsider the vote by which said bill was ordered to be read a third time, and it was decided in the affirmative.

Mr. Blue moved an amendment to said bill, which was adopted.

Mr. Simmons then moved to reconsider the votes by which the amendments moved by Mr. Chrisman and Mr. Griffith were adopted.

And the question being taken thereon, it was decided in the negative.

And so the House refused to reconsider said votes.

Mr. Bascom then moved an amendment to said bill, which was rejected.

Ordered, That said bill, as amended, be engrossed and read a third time.

Said bill, as amended, was read a third time as follows, viz:

WHEREAS, The growing importance and value of the mineral resources of this Commonwealth make it the duty of legislation to devise measures and means for its full development; and that portion of our great State watered by Tradewater river, from its mouth to its sources, is well known to abound in the leading minerals—iron, coal, and salt; and believing that a judicious and proper expenditure in removing the obstructions will greatly improve the navigation of said river, and that it can be made safe and valuable for a large portion of the year for steamboats, coal barges, and rafts, for a distance of seventy miles above its mouth; therefore,

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the sum of thirty thousand dollars is hereby appropriated, to be paid out of any money in the public Treasury not otherwise appropriated, to be expended as hereinafter provided in the construction of locks and dams on Tradewater river, from its mouth at Tradewater Island to Wilson's warehouse on the same; the expenditure of which shall be superintended by commissioners to be named, and on conditions hereinafter set forth.

§ 2. William J. Miller, of Crittenden, N. W. Casey, of Union, F. M. Headly, of Hopkins, Jeff. Asher, of Caldwell, and James Johnson, of Webster, are hereby appointed commissioners, any three of whom shall constitute a board to do business, whose duty it shall be to employ a competent water-line engineer, and have proper surveys made of the river from its mouth to the point named as aforesaid, with a view to ascertain the best location for said locks and dams, and with a view of extending said improvements along the whole line of the river between the points above named, and the probable cost of constructing said locks and dams; and, upon estimates and specifications furnished by said engineer, they are to let out the work by contract to the lowest responsible bidders; the party or parties contracting shall be required to give bond and security that the work shall be done in proper manner, and in the time required by the contract; but before the letting of contracts it shall be the duty of the commissioners to give at least fifteen days' notice of the same by posting notices of the same upon the court-house doors of the counties wherein said sections of work to be let may be located, and by causing the same to be inserted in the Louisville Courier-Journal, and some other newspaper in the First Congressional District, for at least two weekly issues immediately before said contracts are let; and they shall receive sealed proposals for said work, reserving to themselves the right to reject any bid which may appear to them unreasonable.

§ 3. That all contracts letting out the work under this appropriation shall be executed in duplicate writings, and signed by at least three of the commissioners and the party or parties so contracting; and it must be expressly stipulated that all work, when done, must be approved by said commissioners in writing, and paid for, when thus approved, by duplicate vouchers drawn on the Auditor of Public Accounts, executed by three or more of the commissioners, which vouchers must give the name of the contractor, and indicate the section and kind of work performed for which it is given in payment. It shall be the duty of the commissioners to forward the original of said voucher to the Auditor of Public Accounts, who shall file the same in his office; and when the duplicate is presented to the said Auditor of Public Accounts, he shall draw his warrant on the Treasury in favor of the holder of said duplicate voucher for the amount of the same, and the Treasurer shall pay the same out of the fund appropriated by the first section of this act: *Provided*, That said commissioners shall not draw their warrants on the Auditor for more than ten thousand dollars in any one year, and the sum herein appropriated shall be paid out of any unappropriated money in the Treasury in three equal annual installments of ten thousand dollars.

§ 4. It shall be the duty of the commissioners to visit the localities as the work is progressing, and especially to be present at the letting and closing of contracts; and in no case are they to pay for any portion of the work in advance. Their own per diem and expenses shall be paid quarterly, and other necessary current expenses, including pay of civil engineer and attendants, shall be payable monthly; all of which payments shall be made by duplicate vouchers drawn upon the Auditor of Public Accounts, as hereinbefore

specified in case of contractors; which vouchers must designate each and every expense incurred, and on what account.

§ 5. The pay of said commissioners shall be three dollars per day, and all necessary expenses while on duty, to be paid out of the amount herein appropriated; and they are required to report to the next session of the General Assembly the progress of the work.

§ 6. That nothing in this act shall be so construed as to require the commissioners to employ a water-line engineer, unless they shall regard the same as necessary to carry out the provisions of this act.

§ 7. That before the said commissioners shall enter upon the discharge of their duties, they shall each take an oath to honestly, faithfully, and impartially discharge the duties imposed upon them by the provisions of this act.

§ 8. That the further sum of four thousand dollars be, and the same is hereby, appropriated to the cleaning out of the Little South Fork of Cumberland river, from the town of Parmleysville to its mouth; and that Joshua Berry, Henry Gibson, and John R. Dick be, and they are hereby, appointed commissioners to superintend said work and to disburse said fund; and the Auditor of Public Accounts is hereby authorized to draw his warrant on the Treasurer of the State for said sum, and said Treasurer is directed to pay the same out of any money in the Treasury not otherwise appropriated.

§ 9. That the additional sum of four thousand dollars is hereby appropriated for the purpose of cleaning out Panther creek, in Daviess county, and for which sum the Auditor shall draw his warrant on the Treasurer in favor of the county judge of Daviess county for the time being, payable out of any money in the Treasury not otherwise appropriated.

§ 10. This act shall take effect from and after its passage.

The question was then taken on the passage of said bill, and it was decided in the negative, a constitutional majority not having voted therefor.

The yeas and nays being required thereon, in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Bunch),	R. L. Cooper,	E. A. Pearson,
William Adair,	N. C. Dille,	Elijah C. Phister,
Wm. F. Barret,	H. G. Duerson,	Alfred T. Pope,
John W. Blue,	W. W. Frazer,	W. V. Prather,
D. M. Bowen,	Robert T. Glass,	Douglass L. Price,
Orlando C. Bowles,	Clinton Griffith,	George W. Riddle,
Howell Brewer,	T. H. Hays,	Robert Simmons,
E. Burr,	Wm. Irwin, sr.,	R. M. Spalding,
William B. Caldwell,	John W. Kendall,	P. M. Thurmond,
James E. Cantrill,	James Kilgore,	J. L. Waring,
J. S. Chrisman,	Francis M. Lowe,	L. Wilson,
Thomas T. Cogar,	Mason Morris,	S. M. Wrather—38.
I. B. Combs,	Joshua B. Parks,	

Those who voted in the negative, were—

Silas Adams,	D. Hambleton,	Thomas H. Moss,
J. M. Atherton,	Ashton P. Harcourt,	Edward Myall,
P. W. Barron,	Ben. Hardin,	W. H. Pettus,
Alpheus W. Bascom,	J. B. Hays,	G. W. Quick,
James R. Claybrook,	A. J. Hendrickson,	Wm. S. Richart,
F. R. Davis,	James R. Hindman,	George W. Silvertooth,
Asbury Dawson,	Elijah Hogan,	A. D. Weller,
D. E. Downing,	R. E. Humphrey,	John F. Wight,
John Duvall,	Wm. J. McElroy,	John Wolf,
James P. Ford,	George R. McKee,	Hugh H. York—31.
L. D. Good,		

And so said bill was rejected.

Mr. Humphrey then moved to reconsider the vote by which said bill was rejected.

According to order, the House took up for further consideration a bill, entitled

A bill to change the time of payment of the revenue into the State Treasury, and to amend the revenue laws,

And the amendment moved thereto.

The amendment moved by Mr. Hibbs was adopted.

Mr. Wight moved an amendment, which was also adopted.

Ordered, That said bill, as amended, be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

According to order, the House took up for further consideration a bill, entitled

A bill directing the purchase of Collins' Historical Sketches of Kentucky.

Mr. Adams moved an amendment to said bill, which reads as follows, viz:

Amend section 2d by adding: *Provided*, That if, at the annual election for school trustees, on the first Saturday in April, 1871, any school district should, by vote, decide not to purchase said book, and should certify said vote officially through the county commissioner to the Superintendent of Public Instruction, then said Superintendent shall not purchase a copy of said book for said district, nor use any portion of their *pro rata* in payment of same: *Provided further*, It shall be the duty of the Superintendent of Public Instruction to notify

the commissioners of common schools of the various counties of the passage of this act, and they shall notify the trustees of the school districts of their county of the same, previous to the first Saturday in April, 1871.

Mr. Hindman moved the following substitute for the amendment moved by Mr. Adams, viz:

Provided, That if, on the first Saturday of April next, at the regular election for trustees of common schools, a vote shall be taken, and in case a majority shall vote in favor of purchasing said history, then said history shall be purchased in the manner herein provided, but not otherwise.

The question was then taken on the adoption of the substitute moved by Mr. Hindman for the amendment moved by Mr. Adams, and it was decided in the negative.

The question was then taken on the amendment moved by Mr. Adams, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Chrisman and McElroy, were as follows, viz:

Those who voted in the affirmative, were—

William Adair,	W. W. Frazer,	Joshua B. Parks,
Silas Adams,	Robert T. Glass,	W. H. Pettus,
Alpheus W. Bascom,	L. D. Good,	Elijah C. Phister,
John W. Blue,	Clinton Griffith,	W. V. Prather,
Orlando C. Bowles,	D. Hambleton,	Douglass L. Price,
Howell Brewer,	J. B. Hays,	G. W. Quick,
E. Burr,	T. H. Hays,	William S. Richart,
William B. Caldwell,	A. J. Hendrickson,	George W. Riddle,
James E. Cantrill,	Elijah Hogan,	Robert Simmons,
James R. Claybrook,	R. E. Humphrey,	R. M. Spalding,
R. L. Cooper,	George M. Jessee,	George W. Terrell,
F. R. Davis,	Alfred M. Jones,	P. M. Thurmond,
Asbury Dawson,	John W. Kendall,	J. L. Waring,
J. C. DeMoss,	James Kilgore,	A. D. Weller,
George R. Diamond,	Francis M. Lowe,	John F. Wight,
N. C. Dille,	George R. McKee,	L. Wilson,
D. E. Downing,	James A. McKenzie,	John Wolf,
H. G. Duerson,	Mason Morris,	S. M. Wrather,
James P. Ford,	Thomas H. Moss,	Hugh H. York—57.

Those who voted in the negative, were—

Mr. SPEAKER (Bunch),	J. S. Chrisman,	William J. McElroy,
J. M. Atherton,	John Duvall,	Edward Myall,
Wm. F. Barret,	Ashton P. Harcourt,	Alfred T. Pope,
Robert C. Beauchamp,	J. R. Hindman,	G. W. Silvertooth—14.
D. M. Bowen,	William Irwin, sr.,	

And so said amendment was adopted.

Ordered, That said bill be engrossed and read a third time.

Said bill being engrossed, was read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the Superintendent of Public Instruction be, and he is hereby, directed to purchase of Richard H. Collins, for the use of this Commonwealth, such number of copies, at the price of four dollars each, of his new and enlarged edition of Judge Collins' Historical Sketches of Kentucky, as shall be sufficient to supply one copy thereof to each common school district in the State, for the use of the children of said district, and as a foundation for the District Library contemplated by article 9, of "An act to revise, amend, and reduce into one the laws relating to the common schools of Kentucky," approved March 21, 1870, portions of which history may be read to them every day by their teacher, or as a reading lesson by the older scholars and best readers: *Provided*, That, where cities and towns for convenience are reported and treated as one district, said district shall be supplied with as many copies of said book as shall equal one for each separate school-room of children over ten years of age having a separate teacher, in said district.

§ 2. That as said books are delivered to said Superintendent at his office in Frankfort, he shall examine them; or he may elect to examine and receive them at the publisher's office or bindery; and if they are well bound in law binding, in the style of the Kentucky Reports (except that the leather may be colored or sprinkled as such books are usually done), and in good order, with the words "*Common School Library*" stamped in gilt letters upon the back, and with a printed label upon the inside of each cover or lid, showing the number and county of each district respectively; and if the same contain not less than seven hundred and twenty pages, with a map of the State, embracing all the counties, and with sixty or more engravings, then he shall certify to the Auditor of Public Accounts the number delivered at each delivery, and the said Auditor is hereby required to issue his warrant upon the Treasurer for the price of the same, payable out of the fifteen-cent tax for school purposes levied and collected in 1871, until one half of the whole number is thus paid for, and for the remaining one half payable out of said revenue collected in 1872: *Provided*, That if, at the annual election for school trustees, on the first Saturday in April, 1871, any school district should by vote decide not to purchase said book, and should certify said vote officially through the county commissioner to the Superintendent of Public Instruction, then said Superintendent shall not purchase a copy of said book for said district, nor use any portion of their *pro rata* in payment of same: *Provided further*, It shall be the duty of the Superintendent of Public Instruction to notify the commissioners of common schools of the various counties of the passage of this act, and they shall notify the trustees of the school districts of their county of the same, previous to the first Saturday in April, 1871.

§ 3. That to aid him in the completion of the said work, the rights and privileges of the State Library be extended to said Collins; and he be authorized to withdraw therefrom one copy of each document printed for the State since the year 1830: *Provided*, He give bond for

the safe return within two years (fire and unavoidable accidents excepted), said bond payable to the Secretary of State for the use of the Commonwealth, in such penalty as he may affix, and which may be enforced by suit in the Franklin circuit court.

§ 4. This act shall take effect from its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Chrisman and Downing, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Bunch),	James P. Ford,	W. H. Pettus,
William Adair,	W. W. Frazer,	Elijah C. Phister,
Alpheus W. Bascom,	Robert T. Glass,	Alfred T. Pope,
John W. Blue,	L. D. Good,	W. V. Prather,
D. M. Bowen,	Clinton Griffith,	Douglass L. Price,
Orlando C. Bowles,	J. B. Hays,	G. W. Quick,
Howell Brewer,	T. H. Hays,	William S. Richart,
E. Burr,	Elijah Hogan,	George W. Riddle,
William B. Caldwell,	R. E. Humphrey,	G. W. Silvertooth,
James E. Cantrill,	George M. Jessee,	Robert Simmons,
James R. Claybrook,	Alfred M. Jones,	Richard M. Spalding,
R. L. Cooper,	John W. Kendall,	George W. Terrell,
F. R. Davis,	James Kilgore,	P. M. Thurmond,
Asbury Dawson,	Francis M. Lowe,	J. L. Waring,
J. C. DeMoss,	George R. McKee,	A. D. Weller,
George R. Diamond,	James A. McKenzie,	L. Wilson,
N. C. Dille,	Thomas H. Moss,	S. M. Wrather—53.
H. G. Duerson,	Joshua B. Parks,	

Those who voted in the negative, were—

J. M. Atherton,	John Duvall,	William J. McElroy,
Wm. F. Barret,	D Hambleton,	Mason Morris,
P. W. Barron,	Ashton P. Harcourt,	Edward Myall,
Robert C. Beauchamp,	A. J. Hendrickson,	John F. Wight,
J. S. Chrisman,	James R. Hindman,	John Wolf,
D. E. Downing,	Wm. Irwin, sr.,	Hugh H. York—18.

Resolved, That the title of said bill be as aforesaid.

And then the House adjourned.

THURSDAY, MARCH 2, 1871.

The following petition and memorial were presented, viz:

By Mr. Richart—

1. The petition of citizens of Germantown, in Clark county, praying the passage of a law prohibiting the sale of spirituous liquors in said district in quantities less than twenty gallons.

By Mr. Spalding—

2. The memorial of Mrs. Russell Kavanaugh, praying for the passage of a law for her benefit.

Which were received, the reading dispensed with, and referred—the 1st to the Committee on Religion, and the 2d to the Committee on Circuit Courts.

Leave was given to bring in the following bills, viz:

On motion of Mr. Kilgore—

1. A bill to repeal section 6 of an act, entitled "An act to amend the charter of the Ashland and Catlettsburg Turnpike Company," approved 3d February, 1871.

On motion of Mr. Claybrook—

2. A bill to amend the charter of the Washington County Agricultural Society.

On motion of Mr. Speaker (Bunch)—

3. A bill to amend the charter of the city of Louisville in relation to wharfmasters.

Ordered, That the Committee on County Courts prepare and bring in the 1st and 3d; the Committee on Agriculture and Manufactures the 2d.

Mr. Bowles, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the Senate, of the following titles, viz:

An act for the benefit of Dallasburg school district, in Owen county;

An act for the benefit of the sureties of H. M. Wade, late sheriff of Marshall county, on his revenue bond for the year 1869;

An act for the benefit of inebriates and their relatives;

An act to amend an act incorporating the Vanceburg Male and Female Academy;

An act to amend the charter of the Deposit Bank of Eminence;

An act to amend an act, entitled, " An act to incorporate the Gaylord Iron and Manufacturing Company," approved March 16, 1869;

And had found the same truly enrolled.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Bowles inform the Senate thereof.

A message was received from the Senate, announcing that they had passed a bill, which originated in the House of Representatives, entitled

An act to take the sense of the people of this Commonwealth in regard to a conventional rate of interest,

With an amendment thereto.

On motion of Mr. Atherton,

Ordered, That said bill and amendment be recommitted to the same committee by whom it was reported, with instructions to report thereon on Wednesday, 8th inst., at 10 o'clock, A. M.

A message was received from the Senate, announcing that they had received official information that the Governor had approved and signed enrolled bills, which originated in the Senate, of the following titles, viz:

An act to separate the offices of commissioner and receiver of the Louisville chancery court, and to provide for the appointment of said officers, and to define their duties, and to fix the fees of the commissioner.

An act for the benefit of Henry B. Wiseman, of Estill county.

An act for the benefit of W. W. Montague.

An act to change the western boundary of the city of Louisville.

An act to amend an act, entitled "An act to incorporate the Ohio Valley White Lead and Manufacturing Company, of Louisville," approved January 16, 1870.

An act to amend chapter 103 of the Revised Statutes, title "Turnpike and Plank Roads."

An act to amend an act, entitled "An act to incorporate the Gethsemane Male and Female Academy, of Nelson county," approved February 21, 1868.

On motion of Mr. McKenzie,

Ordered, That a message be sent to the Senate, asking to withdraw therefrom the announcement of the passage by the House of a bill, which originated in the Senate, entitled

An act to incorporate and endow Graves County Female Seminary.

The message having been communicated to the Senate, and the said bill being returned to the House, Mr. McKenzie then moved to reconsider the vote by which said bill was passed.

Mr. Pope, from the Committee on Insurance, to whom was referred a bill from the Senate, entitled

An act to authorize life insurance companies to make special deposits of securities in the Insurance Department,

Reported the same without amendment.

Ordered, That said bill be read a third time.

Said bill was then read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, Any life insurance company now or hereafter incorporated by this State, and authorized, under the laws thereof, to make insurance on lives, may deposit in the Insurance Department mortgages on unencumbered real estate in the State of Kentucky worth at least double the amount loaned thereon (and in addition to the securities now required and authorized by law to be deposited by life insurance companies), to any amount not less than twenty thousand dollars, in the manner and for the purpose hereinafter named: *Provided*, That when any mortgage shall be deposited, it shall be accompanied with the evidence of the debt, and with a notice served upon, or duly acknowledged by, the mortgagor, that the same has been transferred to the Insurance Department, and will be deposited in said Department, to be held for the uses and purposes named in said act: *Provided further*, That such transfer shall be noted of record on the face of said mortgage, and such entry shall be certified on the mortgage by the clerk of the county court of the county where such mortgage is recorded.

§ 2. The mortgages deposited by any company under this act shall be legally transferred by it to the Commissioner of the Insurance Department, for the common benefit of all the holders of its registered policies and annuity bonds issued under the provisions of this act, and he shall hold the same in trust for the purposes and objects specified in this act; said mortgages shall not be alienated from the purposes of said trust, nor transferred, except in the manner hereinafter provided, and in compliance with the insurance laws of this State relating to such transfers: *Provided*, That any company hereafter electing to make special deposits, as authorized by this act, shall do so in respect to all policies thereafter issued, and not a portion of them only: *Provided further*, That any company making such special deposit shall first satisfy the Commissioner of Insurance that no part of the assets of said company, previously held for the benefit or security of any non-registered policy, has been impaired in making such deposit.

§ 3. Whenever any such company shall legally transfer to the Commissioner of the Insurance Department any amount of said mortgages, not less than twenty thousand dollars, said Commissioner shall issue to said company registered policies of insurance or annuity bonds, of

such denominations or amounts as the said company may require; such policies and annuity bonds shall bear upon their face the words, "The net value of this policy is secured by approved real estate mortgages deposited with the State of Kentucky," with the seal of the said Department, and shall be countersigned by the Commissioner or his authorized deputy, who shall cause to be indorsed on such policy the net value thereof, at the beginning and end of each year of said policy, for ten years, or any less number it may have to run; and at the end of said ten years, if requested by the holder, make a similar indorsement for the next succeeding ten, or any less number of years it may have to run before becoming a claim.

§ 4. The said Commissioner shall, on delivering said policies or annuity bonds to any of the said life insurance companies, charge to said companies, respectively, the amount of the net present value of such policies or annuity bonds, valued by the tables authorized by law in relation to life insurance companies, according to the amount and number of premiums paid annually, semi-annually, or quarterly thereon, and the terms thereof; but in no case shall the amount of such value exceed, in the aggregate, the amount of the securities deposited under the provisions of this act. On the first days of January and July of each and every year, or within sixty days thereafter, the said companies shall make a return to the Commissioner of the Insurance Department, under oath of the president and actuary, of the exact condition of the registered policies received from the said department, and of the premium account of the said policies, and shall deposit with the said Commissioner additional and similar mortgages to an amount equal to any increase of value of the policies heretofore issued, and which shall remain in force, valued by the same rule as upon the issue thereof; and the mortgages thus from time to time deposited, or so large an amount thereof as may be necessary to equal, at all times, the net value of all the outstanding registered policies and annuity bonds of said companies, shall be held by said Commissioner in trust as aforesaid, until the obligations of said companies, under the said registered policies and annuity bonds, shall, to the satisfaction of the said Commissioner, be fully liquidated, canceled, or annulled; but nothing in this act shall be construed as implying any obligation on the part of the State to pay the policies and annuity bonds issued under this act. The Treasurer of the State, and any person duly authorized by the depositing or registering company, shall, at all times, in the usual office hours, have access to the books and other documents in the Insurance Department, relating to the deposits made, and policies and annuity bonds issued under the provisions of this act; and they shall also, at all such times, have such access to said mortgages as may be necessary for the examination thereof. The Treasurer shall, for the services required by this act, receive the annual salary of two hundred and fifty dollars, to be paid by the companies availing themselves of the provisions of this act. The said mortgages, when deposited, shall be registered by said commissioner in a book to be provided for that purpose, which shall be kept as an open record in his office, and shall be indorsed with the name of the company depositing, the date of the deposit, and the

purpose for which the same is deposited, which indorsement shall be signed by the company making the deposit and the Commissioner, and countersigned by the treasurer; and the said Commissioner shall, upon the receipt of said mortgages, and upon the request of the company to which they belong, make a special deposit of the same in a package marked with the name of the company from which received, and date of deposit, in any incorporated bank of this State which he may approve, to be there held in trust and for the uses herein declared, unless removed by the mutual consent, in writing, of the company and the commissioner, which shall be countersigned by the treasurer, and entered on the register aforesaid.

§ 5. The said depositing companies may, at any time, withdraw any excess of mortgages above the net present value hereinbefore specified, upon satisfying the said commissioner, by written proof, to be filed in the said department, that such excess exists, and shall be allowed to receive the interest on all mortgages deposited, and to exchange such mortgages by substituting others, as now provided by the act in relation to Life Insurance Companies, approved March 12, 1870.

§ 6. The said companies shall deliver to the Superintendent of the Insurance Department the policy and annuity bonds, engraved and printed, or printed and written, in such manner as the said Commissioner shall direct, with duplicate originals of the same, duly signed. On their receipt by the Commissioner he shall cause them to be duly registered, in proper books kept for that purpose, in consecutive numbers, corresponding to the numbers on said policies and bonds; shall cause his name, or the name of his deputy, to be inscribed on the policies and bonds, and affix the seal of the department to the same, and shall return the original policies to the said depositing companies respectively. The expenses necessarily incurred in registering, countersigning, and sealing the said policies and annuity bonds, and in otherwise executing the provisions of this act, including the salary of the treasurer, shall be audited and paid out of any moneys in the treasury not otherwise appropriated; and, for the purpose of reimbursing the same, the said Commissioner is hereby authorized to charge against the said depositing companies, respectively, an amount sufficient for such purpose as may be just and reasonable. It shall be the duty of the said Commissioner to receive mutilated policies and annuity bonds issued to the said companies, and deliver, in lieu thereof, other policies and bonds of like tenor and date; and in case of lost policies or annuity bonds, to furnish certified copies of the duplicates on file in his office.

§ 7. If, at any time, the affairs of any life insurance company which has deposited mortgages under this act, shall, in the opinion of the Commissioner of the Insurance Department, appear in such a condition as to render the issuing of additional policies and annuity bonds by said company injurious to the public interest, the said Commissioner shall report that fact to the Attorney General, whose duty it shall then be to apply to the circuit court for an order, requiring said company to show cause why its business should not be closed. The court shall thereupon proceed to hear the allegations

and proofs of the respective parties; and in case it shall appear to the satisfaction of the court that the assets and funds of said company are not sufficient to justify the further continuance of the business of insuring lives, granting annuities, and incurring new obligations, as authorized by its charter, then the said court shall issue an order enjoining and restraining said company from the further prosecution of its business, and shall also appoint a receiver of all the assets and credits of said company. The said receiver, upon filing his bond in an amount, and with sureties approved by said court, conditioned for the faithful performance of his duties, shall take possession of all the assets and credits of said company, except the mortgages deposited in the Insurance Department under the provisions of this act, which said mortgages shall remain in said department to be disposed of as hereinafter provided.

§ 8. The said receiver shall, immediately on entering upon the duties of his office, appoint a competent actuary, approved by the Commissioner of the Insurance Department, who shall make a careful investigation, according to the standard fixed by the laws of this State, into the condition of said company, and report thereon, in writing, under oath, to said court and receiver; and if it shall, by said report, be found that the mortgages deposited by said company in the Insurance Department, and the assets and credits, including the future premiums that will mature on the outstanding policies, and other obligations of said company, are sufficient, under the laws of this State, to pay all the policies, annuities, and other obligations of said company as they may mature by the terms thereof, and the legal costs and expenses incident to the business; and if said actuary's report shall be confirmed by the court, the said receiver shall notify all the holders of said policies, annuities, and other obligations, requiring them to pay to him, as such receiver, all premiums or other payments due or to become due to said company, from time to time, on their respective policies, annuities, or other obligations. Such notice shall be given, by depositing the same in the post-office, at the place where said company has its principal business office, addressed to said parties respectively, at their several residences, so far as the same can be ascertained by said receiver; and also by the publication in at least three newspapers of general circulation in the State, once a week, for six successive weeks; or on the confirmation of the report of said actuary, the court may, in its discretion, direct the receiver to reinsure all registered policies in some solvent company, on the execution by said receiver of an assignment to said reinsuring company of all mortgages on deposit in trust for registered policyholders, or such portions thereof as said court may direct. And in case the said report of the said actuary shall show that the said mortgages, assets, credits, and premiums are not sufficient, under the laws of this State, to pay all the policies, annuities, and other obligations of said company as they may mature by the terms thereof, and the legal costs and expenses of said receivership, the said receiver shall notify the said Commissioner thereof, and the Commissioner shall, with the consent of the Treasurer of the State, and in such manner as the said receiver, commissioner, and treasurer, or a

majority of them, shall determine, convert said mortgages into money; and the proceeds of such mortgages shall be paid to the said receiver, on his giving his receipt to said commissioner, and shall be applied by said receiver as follows: to the payment of the registered policy-holders of said company, in proportion to the net value of their policies respectively; and to the registered annuities of said company, in proportion to the then present value of their respective annuities, as estimated by the legal standard for valuing life insurance and annuity obligations within this State. The surplus derived from mortgages, if any there be, after the payment last above mentioned, with all the other assets of the said company, shall be then applied to the payment of all the just debts of said company incurred in the conducting and carrying on its lawful business

§ 9. Whenever the business of any company shall be continued under the provisions of the next preceding section, in case the receipts for premiums, and from all other sources shall, at any time, be in excess of the sums required to meet the policy, and all other obligations of said company, said receiver, whenever such excess shall amount to twenty-five thousand dollars, shall invest said excess in such securities as are authorized to be deposited in the insurance department, and shall deposit said securities with the commissioner of said department in the manner herein provided. If, at any time, the funds in the hands of said receiver are not sufficient to meet such obligations of said company as they mature, he shall notify the said commissioner of the amount required to meet the deficiency in respect thereto; and it shall become the duty of the commissioner to convert into money, with the consent and advice of the Treasurer of the State, and in such manner as the receiver, commissioner, and treasurer, or a majority of them, shall determine, such portion of said mortgages as may be required to meet the said matured obligations; and the proceeds of such mortgages so converted shall be paid to said receiver, on his giving his receipt therefor to the said commissioner, to be used as required for said matured obligations.

§ 10. On the first day of January in every year, or within thirty days thereafter, an investigation shall be made by a competent actuary, approved by the Commissioner of the Insurance Department, into the affairs of said company; and if, upon such investigation, it shall be found that a surplus of its assets, not less in amount than ten thousand dollars, exists, after making adequate provision for meeting, at maturity, all the obligations of said company, and all the legal expenses of said receivership, and, in case of a joint stock company, over and above the amount of its capital, such portion of said surplus as may, under the charter of said company, if a stock company, belong to its stockholders, shall be set aside and invested by said receiver in such mortgages as are authorized to be deposited by this act in the insurance department as a contingent fund, and scrip therefor shall be issued by said receiver to said stockholders respectively, in proportion to their respective shares, bearing six per cent. interest, and payable on the final settlement of the affairs of said company, as herein provided. The remainder of such surplus, if the company be a stock company, and the whole of said surplus,

if it be a mutual company, shall be disposed of as follows: One quarter of such remainder shall be reserved by said receiver, and invested by him in such securities as are authorized to be deposited by life insurance companies in the insurance department by this act as a contingent fund, for which scrip shall be issued by said receiver to all policy holders entitled under policies to share in the surplus of said company. Said scrip shall bear interest at the rate of six per cent. per annum, payable annually, and shall be redeemable on the maturity of the respective policies to which said scrip may be related. The remaining three quarters of said surplus shall be paid by said receiver within one year from said first day of January to said policy-holders respectively, in lawful money of the United States. But no scrip shall be issued for any fractional part of a dollar; and any scrip so issued may, at any time, be called in and canceled by said receiver, without payment, if necessary to better secure the remaining obligations of said company; and all scrip so issued shall have printed thereon a clause to this effect. If, on the final accounting of said receiver, after the liquidation of all the obligations of said company, as herein provided, and, in case of a joint stock company, the return to the respective stockholders of their respective amounts of stock, and the scrip issued to them under this act, there shall remain a surplus in the hands of said receiver, it shall be divided by him among said stockholders, if a stock company, proportionately to their respective shares, as provided by the charter of said company, and the balance of said surplus among the last ten policyholders of said company, or their legal representatives, in proportion to the amounts of their said respective policies; and if not a stock company, among the holders of the last ten policies issued by said company, or their legal representatives, in proportion to the amount of their said respective policies.

§ 11. The receiver of any company under this act shall have all the powers incident to the successful management of its affairs, and, to that end, authority to purchase policies issued by said company, to make any other compromise in the settlement of its outstanding obligations, and to use the corporate seal of said company, whenever necessary, in the transaction of the business of his receivership.

§ 12. The compensation of the receiver under this act shall be fixed by the Commissioner of the Insurance Department, and shall not exceed the sum of five per cent. on the amount of the assets of such company as shall come into his possession. The receiver may employ such clerks and actuaries as he may deem necessary for the proper conducting of his business as such receiver; and the said clerks and actuaries shall be paid such reasonable compensation as he may determine, subject, however, to the approval of the Commissioner of the Insurance Department, all of which compensation to said receiver, clerks, and actuaries, shall be a charge on the funds of such company, and paid out of the said funds.

§ 13. It shall be the duty of either the president or secretary, or actuary of every insurance company having securities deposited in

the office of the Commissioner of the Insurance Department of this State, under this act, once or more during each calendar year, and at such time or times during the ordinary business hours as said insurance company may select, to examine and compare such securities with the books of said department; and, if found correct, to execute to the Commissioner of the Insurance Department a receipt or certificate, setting forth in the same the different amounts thereof, and that the same are in the possession and custody of the Commissioner at the date of such receipt.

§ 14. The Legislature hereby retains the right to alter, amend, or repeal this act at pleasure.

§ 15. This act shall take effect from its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Barret and McElroy, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Bunch),	Robert T. Glass,	George R. McKee,
William Adair,	L. D. Good,	James A. McKenzie,
Silas Adams,	Clinton Griffith,	Thomas H. Moss,
Ervin Anderson,	D. Hambleton,	Joshua B. Parks,
J. M. Atherton,	Ashton P. Harcourt,	E. A. Pearson,
Alpheus W. Bascom,	J. B. Hays,	Elijah C. Phister,
D. M. Bowen,	T. H. Hays,	Alfred T. Pope,
Orlando C. Bowles,	A. J. Hendrickson,	G. W. Quick,
E. Burr,	James R. Hindman,	William S. Richart,
James E. Cantrill,	Elijah Hogan,	George W. Riddle,
James R. Claybrook,	Elijah Hurst,	Robert Simmons,
Thomas T. Cogar,	Wm. Irwin, sr.,	Henry H. Skiles,
R. L. Cooper,	George M. Jessee,	R. M. Spalding,
J. C. DeMoss,	Alfred M. Jones,	George W. Terrell,
N. C. Dille,	James Kilgore,	J. L. Waring,
John Duvall,	Francis M. Lowe,	A. D. Weller,
James P. Ford,	G. W. Little,	S. M. Wrather—53.
W. W. Frazer,	James B. McCreary,	

Those who voted in the negative, were—

Wm. F. Barret,	F. R. Davis,	W. H. Pettus,
P. W. Barron,	Asbury Dawson,	G. W. Silvertooth,
Rob't C. Beauchamp,	D. E. Downing,	John F. Wight,
Howell Brewer,	William J. McElroy,	John Wolf,
J. S. Chrisman,	Edward Myall,	Hugh H. York—16.
I. B. Combs,		

Resolved, That the title of said bill be as aforesaid.

On motion of Mr. Wight,

Ordered, That a committee be appointed to wait on the Governor, in conjunction with such committee as may be appointed by the Senate for the same purpose, and request him to return unsigned, to the

House, an enrolled bill, which originated in the House of Representatives, entitled

An act to amend the act, entitled "An act to incorporate the Shelbyville Cemetery Company."

A message being received from the Senate, announcing that they had appointed a committee for the same purpose, thereupon the Speaker appointed on said committee, on the part of the House, Messrs. Wight and Richart, who returned, and reported that the joint committee had discharged their duty, and laid said enrolled bill on the Clerk's table.

Bills were reported by the several committees, who were directed to prepare and bring in the same, of the following titles, viz:

By Mr. Adams, from the Committee on Military Affairs—

1. A bill to amend an act, entitled "An act for the benefit of certain men belonging to the State troops," approved March 11, 1867.

By Mr. Hambleton, from the Committee on Agriculture and Manufactures—

2. A bill for the better protection of the horses, cattle, and hogs of the citizens of this State.

Which were read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That the 1st be printed and placed in the orders of the day, and the 2d be recommitted to the same committee.

The House then took up an engrossed bill, which originated in the Senate, entitled

An act for the benefit of the State Agricultural Society.

The question was again taken on the passage of said bill, and it was decided in the negative.

The yeas and nays being required thereon, in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Bunch), E. A. Pearson, Douglass L. Price—4.
Joshua B. Parks,

Those who voted in the negative, were—

William Adair,	D. E. Downing,	George R. McKee,
Silas Adams,	H. G. Duerson,	James A. McKenzie,
Ervin Anderson,	John Duvall,	Mason Morris,
J. M. Atherton,	James P. Ford,	Thomas H. Moss,
Wm. F. Barret,	W. W. Frazer,	Edward Myall,

P. W. Barron,	Robert T. Glass,	W. H. Pettus,
Alpheus W. Bascom,	L. D. Good,	Elijah C. Phister,
J. F. Baugh,	Clinton Griffith,	Alfred T. Pope,
Rob't C. Beauchamp,	D. Hambleton,	G. W. Quick,
D. M. Bowen,	Wm. M. Hamlin,	Wm. S. Richart,
Orlando C. Bowles,	Ashton P. Harcourt,	George W. Riddle,
Howell Brewer,	J. B. Hays,	G. W. Silvertooth,
E. Burr,	Thomas H. Hays,	Robert Simmons,
J. S. Chrisman,	A. J. Hendrickson,	Henry H. Skiles,
James R. Claybrook,	Jas. R. Hindman,	Richard M. Spalding,
Thomas T. Cogar,	Elijah Hogan,	George W. Terrell,
I. B. Combs,	William Irwin, sr.,	P. M. Thurmond,
R. L. Cooper,	Alfred M. Jones,	A. D. Weller,
F. R. Davis,	John W. Kendall,	John F. Wight,
Asbury Dawson,	James Kilgore,	L. Wilson,
J. C. DeMoss,	G. W. Little,	John Wolf,
Geo. R. Diamond,	James B. McCreary,	S. M. Wrather,
N. C. Dille,	Wm. J. McElroy,	Hugh H. York—69.

And so said bill was disagreed to.

Said bill reads as follows, viz :

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the sum of three thousand dollars be, and the same is hereby appropriated, out of any money in the Treasury not otherwise appropriated, annually (for three years), to the president and directors of the State Agricultural Society, to be used for the advancement of the interests of agriculture in Kentucky ; and the president of said society be authorized to draw on the Treasury for that amount.

§ 2. That the third section of the act, entitled "An act to incorporate the Kentucky State Agricultural Society, and to give encouragement to all the arts and sciences connected therewith," approved 10th day of March, 1856, be, and the same is hereby, re-enacted, and shall be in full force.

§ 3. That an act approved May 27th, 1865, entitled "An act to amend an act, entitled 'An act to incorporate the Kentucky State Agricultural Society,'" and to give encouragement to all arts and sciences connected therewith, be, and the same is hereby, repealed.

§ 4. This act to take effect from its passage.

On motion, leave of absence, indefinitely, was granted Messrs. Wight and Hogan.

The House then took up the resolution moved on yesterday by Mr. Price, entitled

Resolution to purchase Cain's portrait of Chief Justice Robertson.

Mr. Chrisman moved to fill up the blank in said resolution with the words "five hundred."

And the question being taken on the amendment proposed, it was decided in the affirmative.

The resolution, as amended, was again read as follows.

WHEREAS, Master Nevil Cain, a young artist of great promise, a native of Kentucky, has, at the suggestion of the friends and admirers of Chief Justice Robertson, produced a fine portrait of that distinguished jurist; and whereas, it is desirable that the State of Kentucky should procure the same, in order that it may be preserved in memory of that illustrious man; therefore,

Resolved by the General Assembly of the Commonwealth of Kentucky, That the said portrait be purchased by the Governor for the State, at the price of five hundred dollars; and the Auditor of Public Accounts shall draw his warrant on the Treasurer in favor of the said Nevil Cain for said sum, to be paid out of any money in the Treasury not otherwise appropriated; and that said portrait be carefully preserved in the court-room in the Capitol.

The question was then taken on the adoption of said resolution, as amended, and it was decided in the affirmative.

The yeas and nays being required thereon, in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Bunch),	H. G. Duerson,	James B. McCreary,
Silas Adams,	John Duvall,	James A. McKenzie,
Ervin Anderson,	James P. Ford,	Mason Morris,
J. M. Atherton,	Robert T. Glass,	Joshua B. Parks,
Wm. F. Barret,	Clinton Griffith,	E. A. Pearson,
Alpheus W. Bascom,	William M. Hamlin,	Elijah C. Phister,
D. M. Bowen,	Ashton P. Harcourt,	Alfred T. Pope,
E. Burr,	J. B. Hays,	Douglass L. Price,
James E. Cantrill,	T. H. Hays,	George W. Riddle,
J. S. Chrisman,	Elijah Hogan,	G. W. Silvertooth,
James R. Claybrook,	William Irwin, sr.,	Robert Simmons,
Thomas T. Cogar,	George M. Jessee,	Henry H. Skiles,
I. B. Combs,	Alfred M. Jones,	R. M. Spalding,
R. L. Cooper,	John W. Kendall,	George W. Terrell,
F. R. Davis,	James Kilgore,	J. L. Waring,
J. C. DeMoss,	Francis M. Lowe,	L. Wilson,
George R. Diamond,	G. W. Little,	John Wolf—52.
N. C. Dille,		

Those who voted in the negative, were—

P. W. Barron,	L. D. Good,	W. H. Pettus,
Robert C. Beauchamp,	D. Hambleton,	G. W. Quick,
Orlando C. Bowles,	A. J. Hendrickson,	William S. Richart,
Howell Brewer,	J. R. Hindman,	P. M. Thurmond,
Asbury Dawson,	William J. McElroy,	A. D. Weller,
D. E. Downing,	Thomas H. Moss,	S. M. Wrather,
W. W. Frazer,	Edward Myall,	Hugh H. York—21.

And so said resolution was adopted.

Bills were reported by the several committees who were directed to prepare and bring in the same, of the following titles, viz :

By Mr. Duvall, from the Committee on County Courts—

A bill to authorize the county court of Meade county to grant coffee-house license to Geo. M. Neafus.

By Mr. DeMoss, from the Committee on Education—

A bill for the benefit of public schools and academies of Newport.

By Mr. Hambleton, from the Committee on Agriculture and Manufactures—

A bill to amend an act, entitled "An act for the protection of small birds and other game," Revised Statutes.

By Mr. Claybrook, from the same committee—

A bill to amend the first section of an act, entitled "An act to amend the charter of the Washington County Agricultural Society," approved February 20, 1868.

By same—

A bill to incorporate the South Elkhorn Horse and Agricultural Association.

By same—

A bill to incorporate the Eminence Agricultural and Mechanical Association.

By Mr. Riddle, from the same committee—

A bill to incorporate the Jessamine County Agricultural and Mechanical Association.

Which were read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Claybrook, from the Committee on Agriculture and Manufactures, who were directed to prepare and bring in the same, reported

A bill amending an act to regulate the sale and storage of illuminating oils, made from coal, petroleum, or other bituminous substances, and for the better protection of life and property.

Which was read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Mr. McKee moved a substitute, by way of amendment, for said bill.

Ordered, That said bill be recommitted to the same committee, with instructions to report thereon on Thursday, 9th inst.

On motion of Mr. Riddle,

Ordered, That the consideration of the motion to reconsider the vote by which the House rejected a bill, entitled

A bill to provide for the improvement of Tradewater river,

Be made the special order of the day for to-morrow, at 10 o'clock, A. M.

On motion of Mr. Chrisman, the further consideration of a bill, entitled

A bill to amend section 1, article 26, chapter 28, Revised Statutes, title "An act to prohibit the carrying of concealed deadly weapons,"

Was postponed to, and made the special order of the day for, Tuesday, 7th inst., at 10 o'clock, A. M.

According to order, the House took up and resumed the consideration of a bill, entitled

A bill appropriating five thousand dollars to the improvement of Red river.

Said bill reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the sum of five thousand dollars be, and the same is hereby appropriated, out of any money in the public Treasury not otherwise appropriated, for the purpose of the improvement of the downward navigation of Red river, from the old Forge Mills as high up as the mouth of Swift's creek; and John Williams, William M. Combs, and J. S. Pitman, are hereby appointed commissioners to apply said sum to the improvement of said river, by having removed therefrom such obstructions as they or a majority of them may think best.

§ 2. Before said commissioners enter upon the discharge of their duties required of them by this act, they shall each take an oath, and execute a covenant to the Commonwealth, in the Powell county court, to faithfully and impartially apply the money hereby appropriated to the removing the obstructions out of said river, and that they will make the best contract in their power for the removal of the same.

§ 3. The said commissioners shall, on the first day of April, 1871, or as soon thereafter as practicable, meet at the old Forge Mill, in Powell county, and proceed to the discharge of the duties required of

them by this act, and shall adjourn from day to day, and place to place, until the same is completed.

§ 4. It shall be the duty of the Auditor to pay said sum of five thousand dollars to said commissioners, when he is satisfied that they have taken the oaths and executed the bond as required of them in the second section of this act.

§ 5. That the said Commissioners shall make a plain statement in writing to the Auditor of Public Accounts, how and in what manner they have expended said five thousand dollars.

§ 6. This act shall take effect from and after its passage.

Mr. Wrather moved an amendment thereto, but which he subsequently withdrew.

Mr. Adams then moved to lay the bill on the table.

And the question being taken on the motion of Mr. Adams, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Combs and Chrisman, were as follows, viz:

Those who voted in the affirmative, were—

Silas Adams,	John Duvall,	James R. Hindman,
Ervin Anderson,	James P. Ford,	William J. McElroy,
W. F. Barret,	W. W. Frazer,	James A. McKenzie,
P. W. Barron,	L. D. Good,	Edward Myall,
R. C. Beauchamp,	D Hambleton,	Joshua B. Parks,
E. Burr,	Ashton P. Harcourt,	G. W. Quick,
James E. Cantrill,	Ben. Hardin,	Geo. W. Silvertooth,
James R. Claybrook,	J. B. Hays,	A. D. Weller,
F. R. Davis,	A. J. Hendrickson,	John F. Wight—28.
D. E. Downing,		

Those who voted in the negative, were—

Alpheus W. Bascom,	Elijah Hogan,	Elijah C. Phister,
J. F. Baugh,	Elijah Hurst,	Alfred T. Pope,
D. M. Bowen,	William Irwin, sr.,	Douglass L. Price,
Howell Brewer,	George M. Jessee,	Wm. S. Richart,
J. S. Chrisman,	Alfred M. Jones,	George W. Riddle,
Thomas T. Cogar,	John W. Kendall,	Robert Simmons,
I. B. Combs,	Francis M. Lowe,	Richard M. Spalding,
R. L. Cooper,	G. W. Little,	Geo. W. Terrell,
Asbury Dawson,	James B. McCreary,	P. M. Thurmond,
George R. Diamond,	George R. McKee,	J. L. Waring,
H. G. Duerson,	Mason Morris,	John Wolf,
R. T. Glass,	Thomas H. Moss,	S. M. Wrather,
Clinton Griffith,	E. A. Pearson,	Hugh H. York—40.
T. H. Hays,	W. H. Pettus,	

And so the House refused to lay the bill on the table.

Mr. McKee moved the following amendment, viz:

Provided, That the five thousand dollars hereby appropriated shall be paid out of the proceeds of an additional tax of one cent, which

is hereby authorized and directed to be levied on each one hundred dollars' in value of property now subject to taxation for revenue purposes, and to be collected and accounted for as other taxes.

The question was then taken on the adoption of the amendment moved by Mr. McKee, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Hardin and McElroy, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Bunch),	George R. Diamond,	Francis M. Lowe,
Silas Adams,	N. C. Dille,	George R. McKee,
Ervin Anderson,	W. W. Frazer,	James A. McKenzie,
J. M. Atherton,	Robert T. Glass,	Edward Myall,
Wm. F. Barret,	L. D. Good,	W. H. Pettus,
Orlando C. Bowles,	Ashton P. Harcourt,	Wm. S. Richart,
E. Burr,	Ben. Hardin,	Henry H. Skiles,
James E. Cantrill,	T. H. Hays,	A. D. Weller,
James R. Claybrook,	James Kilgore,	John Wolf—27.

Those who voted in the negative, were—

P. W. Barron,	D. Hambleton,	E. A. Pearson,
Alpheus W. Bascom,	William M. Hamlin,	Elijah C. Phister,
J. F. Baugh,	J. B. Hays,	Alfred T. Pope,
Robt. C. Beauchamp,	A. J. Hendrickson,	Douglass L. Price,
D. M. Bowen,	James R. Hindman,	G. W. Quick,
Howell Brewer,	Elijah Hogan,	George W. Riddle,
J. S. Chrisman,	Elijah Hurst,	George W. Silvertooth,
Thomas T. Cogar,	Wm. Irwin, sr.,	Robert Simmons,
I. B. Combs,	George M. Jessee,	R. M. Spalding,
R. L. Cooper,	Alfred M. Jones,	Geo. W. Terrell,
F. R. Davis,	John W. Kendall,	P. M. Thurmond,
Asbury Dawson,	G. W. Little,	J. L. Waring,
D. E. Downing,	James B. McCreary,	John F. Wight,
H. G. Duerson,	Wm. J. McElroy,	L. Wilson,
John Duvall,	Mason Morris,	S. M. Wrather,
James P. Ford,	Thomas H. Moss,	Hugh H. York—50.
Clinton Griffith,	Joshua B. Parks,	

And so said amendment was rejected.

Mr. Harcourt then moved an amendment to the bill, which was rejected.

The question was then taken, "Shall the bill be engrossed and read a third time?" and it was decided in the negative.

And so said bill was rejected.

And then the House adjourned.

FRIDAY, MARCH 3, 1871.

Leave was given to bring in the following bills, viz:

On motion of Mr. Richart—

1. A bill prohibiting the sale of intoxicating liquors, in quantities less than twenty gallons, in Germantown district No. 4, in Clark county.

On motion of Mr. Price—

2. A bill to require justices to give bond.

On motion of Mr. Terrell—

3. A bill to amend an act, entitled "An act to incorporate the Farmers' Turnpike Road Company," approved February 3, 1871.

Ordered, That the Committee on Religion prepare and bring in the 1st; the Committee on Revised Statutes the 2d; and the Committee on Internal Improvement the 3d.

Mr. McCreary moved the following joint resolution, which lies one day on the table, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That the two Houses of the General Assembly adjourn *sine die* on the 14th day of March, 1871, at 12 o'clock, M.

A message was received from the Senate, announcing that they had passed a bill, which originated in the House of Representatives, entitled

An act to incorporate the Public Library of Kentucky.

And that they had passed bills of the following titles, viz:

1. An act to provide for the erection of a ware-house for the Kentucky Penitentiary, and to appropriate funds for its erection and completion.

2. An act to amend the charter of the town of Midway, in Woodford county.

Which were read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

The 1st was referred to the Committee on the Penitentiary, and the 2d ordered to be read a third time.

The rule of the House and constitutional provision as to the third reading of said last named bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

On motion, leave of absence, indefinitely, was granted Mr. Phister.

Mr. Bowles, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the Senate, of the following titles, viz:

An act to incorporate the Kentucky High School at Frankfort;

An act to authorize life insurance companies to make special deposits of securities in the Insurance Department;

An act to charter the Edgeworth Institution of Learning, in Lexington, Fayette county;

An act to amend the charter of the city of Ludlow;

An act to amend the charter of the town of Midway, in Woodford county;

And also an enrolled bill, which originated in the House of Representatives, entitled

An act to amend the charter of the Old State Road and Ripple Creek Turnpike Company;

And had found the same truly enrolled.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Bowles inform the Senate thereof.

Bills were reported by the several committees, who were directed to prepare and bring in the same, of the following titles, viz:

By Mr. Simmons, from the Committee on Ways and Means—

A bill for the benefit of Lincoln county.

By Mr. Barret, from the Committee on the Judiciary—

A bill to amend the 8th section of an act, entitled "An act to establish a new charter for the city of Louisville," approved March 3, in relation to wharfmaster.

Which were read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Simmons, from the Committee on Ways and Means, who were directed to prepare and bring in the same, reported

A bill to regulate toll-gates on turnpike roads in Fayette county.

Which was read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Mr. Cogar offered an amendment to said bill, which was adopted.

Ordered, That said bill, as amended, be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Simmons, from the Committee on Ways and Means, to whom was referred a bill from the Senate, entitled

An act for the benefit of John C. Gardner, late clerk of the Fulton circuit court,

Reported the same without amendment.

Ordered, That said bill be read a third time.

Said bill was read a third time as follows, viz:

WHEREAS, John C. Gardner, late clerk of the Fulton circuit court, did, in obedience to an order of the Fulton circuit court, make a full and complete index to all the order-books and execution books of said court, the old ones having been lost and mislaid and mutilated; and whereas, there is no law authorizing payment for the same; for remedy whereof,

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the Auditor of Public Accounts be, and he is hereby, authorized and directed to draw his warrant on the Treasurer of State in favor of John C. Gardner, for the sum of two hundred and ten dollars, to be paid out of any money unexpended in the Public Treasury.

§ 2. This act shall take effect from its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon, in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Bunch),	Asbury Dawson,	George R. McKee,
William Adair,	J. C. DeMoss,	Edward Myall,
Ervin Anderson,	George R. Diamond,	Joshua B. Parks,

J. M. Atherton,	N. C. Dille,	E. A. Pearson,
Wm. F. Barret,	D. E. Downing,	W. H. Pettus,
P. W. Barron,	H. G. Duerson,	Elijah C. Phister,
Alpheus W. Bascom,	John Duvall,	Alfred T. Pope,
J. F. Baugh,	W. W. Frazer,	Douglass L. Price,
Robert C. Beauchamp,	Robert T. Glass,	William S. Richart,
D. M. Bowen,	L. D. Good,	George W. Riddle,
Orlando C. Bowles,	D Hambleton,	G. W. Silvertooth,
Howell Brewer,	William M. Hamlin,	Robert Simmons,
Jesse D. Bright,	Ashton P. Harcourt,	Richard M. Spalding,
E. Burr,	J. B. Hays,	George W. Terrell,
James R Claybrook,	T. H. Hays,	J. L. Waring,
Thomas T. Cogar,	Wm. Irwin, sr.,	A. D. Weller,
I. B. Combs,	Alfred M. Jones,	John Wolf,
R. L. Cooper,	James Kilgore,	S. M. Wrather,
F. R. Davis,	Francis M. Lowe,	Hugh H. York—57.

Those who voted in the negative, were—

G. W. Little,	Mason Morris,	G. W. Quick—3.

Resolved, That the title of said bill be as aforesaid.

Mr. Chrisman, from the Committee on Claims, to whom were referred a bill from the Senate, entitled

An act for the benefit of Emma Wade, widow of Wm. M. Wade deceased.

Reported the same without amendment, and without the expression of opinion thereon.

Ordered, That said bill be read a third time.

Said bill was then read a third time as follows, viz:

WHEREAS, Eleven slaves were committed to the Oldham county jail as runaways in the years 1862 and 1863, and were, by order of the county court for said county, sold as runaways, and the purchasers of said slaves were deprived of said slaves by the military authorities of the United States, and by reason thereof have been relieved of the payment for said slaves; and whereas, William M. Wade, late jailer of said county, was allowed by said county court, as his fees for keeping said slaves, one thousand and ten dollars, which, by the law, would have been paid out of the price of said slaves, but was not, and has not been, by reason of the said money not having been collected; and whereas, said Wade is dead, and Emma Wade is his widow; therefore,

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, Thatthe Auditor be, and is hereby, directed to draw his warrant on the Treasurer for one thousand and ten dollars in favor of Emma Wade, widow of William M. Wade, in full of the allowance named in the above preamble; the aforesaid sum to be paid out of any money in the Treasury not otherwise appropriated.

§ 2. This act shall take effect from its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being taken thereon, in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Bunch),	George R. Diamond,	G. W. Little,
William Adair,	D. E. Downing,	James B. McCreary,
Silas Adams,	H. G. Duerson,	George R. McKee,
Ervin Anderson,	John Duvall,	James A. McKenzie,
J. M. Atherton,	James P. Ford,	Thomas H. Moss,
Wm. F. Barret,	W. W. Frazer,	Joshua B. Parks,
P. W. Barron,	Robert T. Glass,	E A. Pearson,
Alpheus W. Bascom,	L. D. Good,	Elijah C. Phister,
J. F. Baugh,	Clinton Griffith,	Alfred T. Pope,
D. M. Bowen,	D Hambleton,	Douglass L. Price,
Orlando C. Bowles,	A. P. Harcourt,	William S. Richart,
Howell Brewer,	Ben. Hardin,	George W. Riddle,
Jesse D. Bright,	J. B. Hays,	Robert Simmons,
E. Burr,	T. H. Hays,	Richard M. Spalding,
J. S. Chrisman,	Jas. R. Hindman,	George W. Terrell,
Jas. R. Claybrook,	Elijah Hurst,	P. M. Thurmond,
Thos. T. Cogar,	William Irwin, sr.,	J. L. Waring,
I. B. Combs,	Alfred M. Jones,	A. D. Weller,
R. L. Cooper,	James Kilgore,	John Wolf,
F. R. Davis,	Francis M. Lowe,	S. M. Wrather—62.
J. C. DeMoss,		

Those who voted in the negative, were—

R. C. Beauchamp,	Wm. M. Hamlin,	William J. McElroy,
Asbury Dawson,	A. J. Hendrickson,	Edward Myall—7.
N. C. Dille,		

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. McKenzie moved to reconsider the vote by which said bill was passed.

Mr. Pope moved to lay the motion to reconsider on the table.

And the question being taken on the motion of Mr. Pope, it was decided in the affirmative.

On motion of Mr. Bright, the further consideration of a bill, entitled

A bill to provide for the inspection of steam boilers, and the better protection of life and property against accidents arising from steam boiler explosions,

Was postponed to, and made the special order of the day for, Wednesday, the 8th inst., at 12 o'clock, M.

Mr. Silvertooth, from the Committee on Circuit Courts, who were directed to prepare and bring in the same, reported

A bill for the benefit of Mrs. Russell Kavanaugh, widow of the late judge G. W. Kavanaugh.

Which was read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

Said bill was read a third time as follows, viz:

WHEREAS, The Hon. G. W. Kavanaugh departed this life on the 18th day of November, 1870, while filling the office of judge of the 7th judicial district; and whereas, his wife and children are left in a destitute and dependent condition, such as to call from the representatives of the people, whom the deceased had so faithfully and zealously served, some measure of relief; therefore,

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the sum of $2,000 be set apart, out of any money in the Treasury not otherwise appropriated, for the use and benefit of said Mrs. Russell Kavanaugh; and that the Auditor of Public Accounts is hereby instructed to draw his warrant on the Treasury for said sum to the order of the said Mrs. Russell Kavanaugh.

§ 2. This act shall take effect from and after its passage.

The question was then taken on the passage of said bill, and it was decided in the negative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Bunch),	N. C. Dille,	Francis M. Lowe,
Wm. F. Barret,	James P. Ford,	E. A. Pearson,
Alpheus W. Bascom,	Robert T. Glass,	Elijah C. Phister,
D. M. Bowen,	Clinton Griffith,	Douglass L. Price,
E. Burr,	Ashton P. Harcourt,	William S. Richart,
J. S. Chrisman,	Ben. Hardin,	George W. Riddle,
James R. Claybrook,	Thomas H. Hays,	Geo. W. Silvertooth,
Thomas T. Cogar,	William Irwin, sr.,	Henry H. Skiles,
R. L. Cooper,	Alfred M. Jones,	R. M. Spalding—29.
George R. Diamond,	James Kilgore,	

Those who voted in the negative, were—

William Adair,	L. D. Good,	Edward Myall,
Silas Adams,	D. Hambleton,	Joshua B. Parks,
Ervin Anderson,	Wm. M. Hamlin,	W. H. Pettus,
J. M. Atherton,	J. B. Hays,	Alfred T. Pope,
P. W. Barron,	A. J. Hendrickson,	G. W. Quick,
J. F. Baugh,	James R. Hindman,	Robert Simmons,
Rob't C. Beauchamp,	Elijah Hurst,	George W. Terrell,

Howell Brewer,	G. W. Little,	P. M. Thurmond,
F. R. Davis,	Wm. J. McElroy,	J. L. Waring,
Asbury Dawson,	George R. McKee,	A. D. Weller,
D. E. Downing,	James A. McKenzie,	John Wolf,
H. G. Duerson,	Mason Morris,	S. M. Wrather
John Duvall,	Thomas H. Moss,	Hugh H. York—40.
W. W. Frazer,		

And so said bill was rejected.

Mr. McKenzie then moved to reconsider the vote by which said bill was rejected.

Said motion was placed in the orders of the day.

Mr. Cooper, from the Committee on Education, to whom was recommitted a bill from the Senate, entitled

An act to cause good school-houses to be erected in the Eighth and Ninth Congressional Districts,

And the amendments proposed thereto,

Reported the same with amendments thereto, which were adopted.

On motion of Mr. McCreary, the further consideration of said bill and amendments were postponed to, and made the special order for, Monday, the 6th inst., at 10 o'clock, A. M.

According to order, the House took up for consideration the motion heretofore made to reconsider the vote rejecting a bill, entitled

A bill to provide for the improvement of Tradewater river.

The question was then taken on the motion to reconsider said vote, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Quick and McElroy, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Bunch),	W. W. Frazer,	Elijah C. Phister,
J. F. Baugh,	Robert T. Glass,	Alfred T. Pope,
Robert C. Beauchamp,	Clinton Griffith,	Douglass L. Price,
D. M. Bowen,	Thomas H. Hays,	George W. Riddle,
Orlando C. Bowles,	Wm Irwin, sr.,	Robert Simmons,
Howell Brewer,	Alfred M. Jones,	Henry H. Skiles,
E. Burr,	James Kilgore,	Richard M. Spalding,
Thomas T. Cogar,	James A. McKenzie,	P. M. Thurmond,
I. B. Combs,	Thomas H. Moss,	J. L. Waring,
R. L. Cooper,	Edward Myall,	L. Wilson,
George R. Diamond,	Joshua B. Parks,	S. M. Wrather—35.
N. C. Dille,	E. A. Pearson,	

Those who voted in the negative, were—

Ervin Anderson,	D. Hambleton,	William J. McElroy,
P. W. Barron,	Ashton P. Harcourt,	Geo. R. McKee,
Alpheus W. Bascom,	Ben. Hardin,	Mason Morris,

J. S. Chrisman,	J. B. Hays,	W. H. Pettus,
James R. Claybrook,	A. J. Hendrickson,	G. W. Quick,
F. R. Davis,	James R. Hindman,	Wm. S. Richart,
Asbury Dawson,	George M. Jessee,	George W. Silvertooth,
D. E. Downing,	Francis M. Lowe,	A. D. Weller,
John Duvall,	G. W. Little,	John Wolf,
James P. Ford,	James B. McCreary,	Hugh H. York—31.
L. D. Good,		

And so the House decided to reconsider said vote.

Mr. Simmons moved to reconsider the vote by which said bill was ordered to be read a third time.

And the question being taken thereon, it was decided in the affirmative.

Mr. Little then moved the following amendment to said bill, viz:

Add additional section: Appropriating the further sum of twenty-five thousand dollars to blowing up the falls of Cumberland river in Whitley county, and that the county judge of said county superintend the work; and that the Auditor draw his warrant on the Treasury for the above amount in favor of M. L. Davis, county judge as aforesaid, to be paid out of any money in the Treasury not otherwise appropriated.

The question was then taken on the adoption of the amendment moved by Mr. Little, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Little and Baugh, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Bunch),	James P. Ford,	G. W. Little,
Silas Adams,	L. D. Good,	George R. McKee,
Ervin Anderson,	D. Hambleton,	James A. McKenzie,
P. W. Barron,	Ashton P. Harcourt,	Mason Morris,
Alpheus W. Bascom,	Ben. Hardin,	Thomas H. Moss,
J. F. Baugh,	J. B. Hays,	W. H. Pettus,
Orlando C. Bowles,	T. H. Hays,	G. W. Quick,
Howell Brewer,	A. J. Hendrickson,	William S. Richart,
J. S. Chrisman,	Elijah Hurst,	A. D. Weller,
D. E. Downing,	James Kilgore,	John Wolf,
John Duvall,	Francis M. Lowe,	Hugh H. York—33.

Those who voted in the negative, were—

William Adair,	Robert T. Glass,	Alfred T. Pope,
Wm. F. Barret,	Clinton Griffith,	Douglass L. Price,
Robert C. Beauchamp,	William M. Hamlin,	George W. Riddle,
D. M. Bowen,	William Irwin, sr.,	G. W. Silvertooth,
E. Burr,	Alfred M. Jones,	Robert Simmons,
James R. Claybrook,	James B. McCreary,	Henry H. Skiles,
I. B. Combs,	William J. McElroy,	R. M. Spalding,

F. R. Davis,	Edward Myall,	P. M. Thurmond,
Asbury Dawson,	Joshua B. Parks,	J. L. Waring,
George R. Diamond,	Elijah C. Phister,	S. M. Wrather—31.
W. W. Frazer,		

And so said amendment was adopted.

Ordered, That said bill, as amended, be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

The question was again taken on the passage of said bill, and it was decided in the negative.

The yeas and nays being required thereon, in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Bunch),	I. B. Combs,	John W. Kendall,
Orlando C. Bowles,	George R. Diamond,	G. W. Little,
J. S. Chrisman,	James P. Ford,	S. M. Wrather,
Thomas T. Cogar,	Elijah Hurst,	Hugh H. York—12.

Those who voted in the negative, were—

William Adair,	Robert T. Glass,	Thomas H. Moss,
Silas Adams,	L. D. Good,	Edward Myall,
Ervin Anderson,	Clinton Griffith,	Joshua B. Parks,
J. M. Atherton,	D. Hambleton,	E. A. Pearson,
Wm. F. Barret,	William M. Hamlin,	W. H. Pettus,
P. W. Barron,	Ashton P. Harcourt,	Elijah C. Phister,
Alpheus W. Bascom,	Ben. Hardin,	Alfred T. Pope,
Rob't C. Beauchamp,	J. B. Hays,	Douglass L. Price,
D. M. Bowen,	T. H. Hays,	G. W. Quick,
Howell Brewer,	A. J. Hendrickson,	William S. Richart,
E. Burr,	George M. Jessee,	George W. Riddle,
James R. Claybrook,	Alfred M. Jones,	G. W. Silvertooth,
R. L. Cooper,	James Kilgore,	Robert Simmons,
F. R. Davis,	Francis M. Lowe,	Henry H. Skiles,
Asbury Dawson,	James B. McCreary,	R. M. Spalding,
D. E. Downing,	William J. McElroy,	J. L. Waring,
H. G. Duerson,	George R. McKee,	A. D. Weller,
John Duvall,	James A. McKenzie,	John Wolf—55.
W. W. Frazer,		

And so said bill was again rejected.

And then the House adjourned.

SATURDAY, MARCH 4, 1871.

Leave was given to bring in the following bills, viz:

On motion of Mr. DeMoss—

1. A bill to create a county treasurer in Campbell county.

On motion of Mr. Davis—

2. A bill to amend the law regulating the toll on the Maysville and Mt. Sterling Turnpike Road.

On motion of Mr. E. Anderson—

3. A bill for the benefit of Robert Gibbs.

On motion of Mr. Hurst—

4. A bill to amend an act, entitled "An act to prevent the destruction of fish in Cumberland river, above the falls."

On motion of Mr. Barret—

5. A bill for the benefit of the sheriff of Jefferson county.

On motion of same—

6. A bill for the benefit of the school commissioner of the city of Louisville.

On motion of Mr. Cooper—

7. A bill for the benefit of Nelson Whitaker, of Mason county.

On motion of Mr. Downing—

8. A bill for the benefit of common school district No. 49, in Monroe county.

On motion of Mr. Skiles—

9. A bill legalizing certain character of testimony in this State.

On motion of Mr. Duerson—

10. A bill for the benefit of certain parties in Oldham county.

On motion of Mr. Lowe—

11. A bill to authorize the condemnation of land for cemetery purposes in Pendleton county.

On motion of Mr. Frazer—

12. A bill for the benefit of the Feeble-minded Institute.

On motion of same—

13. A bill for the benefit of the Eastern Lunatic Asylum.

On motion of same—

14. A bill for the benefit of the Western Lunatic Asylum.

On motion of Mr. Chrisman—

15. A bill to pay off the extraordinary appropriations of this and the preceding Legislature.

On motion of Mr. Little—

16. A bill for the benefit of Hawkins McKee, jailer of Whitley county.

On motion of same—

17. A bill for the benefit of Joseph McCarty, of Whitley county.

Ordered, That the Committee on Codes of Practice prepare and bring in the 1st; the Committee on Propositions and Grievances the 2d; the Committee on Ways and Means the 3d and 17th; the Committee on the Judiciary the 5th and 9th; the Committee on Education the 6th and 8th; the Committee on Claims the 7th; the Committee on Internal Improvement the 10th; the Committee on County Courts the 11th; the Committee on Charitable Institutions the 12th, 13th, and 14th; the Committee on Revised Statutes the 16th; a select committee, consisting of Messrs. York, Hurst, and Little, the 4th; and a select committee, consisting of Messrs. Chrisman, Spalding, Caldwell, Simmons, and E. Anderson, the 15th.

Mr. Harcourt moved the following resolution, viz:

WHEREAS, Divers offenses are complained of as having been committed by mobs or bodies of armed men in different parts of the State; therefore,

Resolved, That the Committee on the Judiciary be requested to report, by bill or otherwise, what legislation, if any, is necessary to suppress lawlessness and enforce the criminal laws of the land.

Which was adopted.

Mr. Downing moved the following resolution, viz:

Resolved, That on and after Monday, the 6th inst., the session of this House shall commence at 9 o'clock, A. M.; continue in session until 1 o'clock, P. M.; meet again at 3 o'clock, P. M., and continue till 5 o'clock, P. M.; and that the afternoon session shall be devoted to the calling of the Standing Committees.

Which was adopted.

Mr. Little presented the petition of citizens of Whitley county, praying the passage of a law to increase taxation in that county for certain purposes.

And also the remonstrance of other citizens of said county against the passage of the same.

Which were received, the reading dispensed with, and referred to the Committee on County Courts.

Leave of absence, indefinitely, was granted Messrs. Terrell, Atherton, Myall, and Bascom.

The House took up for consideration the resolution moved on yesterday by Mr. McCreary, entitled

Resolution in relation to a final adjournment of the present session of the General Assembly.

And the question being taken on the adoption thereof, it was decided in the negative.

And so said resolution was rejected.

Mr. Quick, from the Committee on Enrollments, reported that the committee had examined an enrolled bill, which originated in the House of Representatives, entitled

An act to incorporate the Public Library of Kentucky;

And had found the same truly enrolled.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Quick inform the Senate thereof.

On motion of Mr. DeMoss, a committee, consisting of Messrs. DeMoss and Wolf, was appointed, in conjunction with a committee on the part of the Senate, to wait on the Governor, and request him to return to the House, unsigned, an enrolled bill, which originated in the House of Representatives, entitled

An act to authorize the city of Dayton, in Campbell county, to establish common school system.

After a time the committee returned, and laid said enrolled bill on the Clerk's table.

On motion of Mr. Hambleton, a committee, consisting of Messrs. Hambleton and Wrather, were appointed, in conjunction with a committee from the Senate, to wait upon the Governor, and request him to return, unsigned, to the House, an enrolled bill, which originated in the House of Representatives, entitled

An act to amend the charter of the town of Cloverport.

After a time the committee returned, and laid said enrolled bill on the Clerk's table.

On motion of Mr. McCreary, a committee, consisting of Messrs. McCreary and Richart, were appointed, in conjunction with a committee from the Senate, to wait upon the Governor, and request him to return, unsigned, to the House, an enrolled bill, which originated in the House of Representatives, entitled

An act to amend and reduce into one the several acts relating to the charter and amendments thereto of the town of Mt. Sterling.

After a time the committee returned, and laid said enrolled bill on the Clerk's table.

A message was received from the Senate, announcing that they had passed a bill, which originated in the House of Representatives, entitled

An act authorizing and directing the sale of the interest and stock owned by the State of Kentucky in turnpike roads or turnpike road companies.

And that they had passed bills of the following titles, viz:

1. An act to amend an act, approved March 15, 1869, entitled "An act to authorize the sale and conveyance of certain lands and personalty belonging to the State on Licking river."

2. An act to amend an act, entitled "An act incorporating the town of Hustonville, and the several acts amendatory thereof."

Which were read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That they be referred—the first to the Committee on Internal Improvement, and the 2d to the Committee on Corporate Institutions.

The House then took up the amendment proposed by the Senate to a bill, which originated in the House of Representatives, entitled

An act to fix the time of holding the common pleas court in McCracken and Ballard counties, and regulating its jurisdiction in certain cases.

Said amendment was concurred in.

A message was received from the Governor by Mr. Samuels, Assistant Secretary of State, announcing that he had approved and signed an enrolled resolution and bills, which originated in the House of Representatives, of the following titles, viz:

Resolution instructing our Senators and requesting our Representatives in Congress to oppose the passage of the Cincinnati Southern Railway bill.

An act to define and locate the county line between Breathitt and Lee counties, near the store-house of J. & W. R. Crawford.

An act to establish the weight of Rockcastle coal.

An act to amend an act to regulate the sale and storage of illuminating oils, so far as same applies to Ohio county.

An act to amend an act, entitled "An act establishing a new charter for the city of Louisville," approved the 3d day of March, 1870.

Mr. Price, from the joint committee appointed to visit the Eastern and Western Lunatic Asylums, made the following report thereof, viz:

The Joint Committee on Charitable Institutions, in obedience to a joint resolution instructing them to visit the Eastern and Western Lunatic Asylums, and inquire into their condition and management, having performed that duty, beg leave to submit the following report:

The committee first visited the Eastern Asylum, and having personally inspected all the buildings and grounds, inquired into the condition and general treatment of the patients as regards health and comfort, are prepared to say, that we found the improvements and premises free from anything which could injure the health of the inmates; the condition of the buildings showed, in every part, the most scrupulous regard to neatness; the appearance of the patients, and everything that passed under our notice, evinced the existence of a thorough system of management in the Institution.

The patients are warmly and neatly clad; the bedding, and sleeping rooms are clean; and the purity of the air which pervades all parts of the buildings showed the absence of any hidden cause for disease.

The condition of this Institution reflects great credit upon the Superintendent and his subordinates; and the opinions contained in his last report we recommend to the respectful consideration of the General Assembly.

The committee deem it unnecessary, in view of the satisfactory report of the Superintendent and Board of Managers, to say more than—all the facts which came under our observation sustain that report; they will, therefore, only refer to such facts as they think should form the basis of legislative action. Before doing so, however, it is proper to state the result of their observations and inquiries as regards the Western Asylum.

These were of the most satisfactory kind. To particularize would be but to repeat the statements made in relation to the Eastern Asylum. All that has been said in commendation of that Institution and its officers, and of the recommendations of its able Superintendent, applies with equal force and justice to this Asylum.

The main fact to which we would call attention, is the inadequacy of the existing provisions for the care and treatment of the insane and feeble-minded of our State.

The reports of the Superintendents of the two Asylums show that there are now 535 patients confined in the Eastern, and 328 in the Western Asylum, both being full. A large number of patients have been refused admittance therein during the past year. It is estimated that there are from 60 to 70 of this unfortunate class now confined in the jails of this Commonwealth, or at the homes of their friends. If

suffered to remain in this condition, no hope of their recovery can be reasonably sustained.

It requires no argument from this committee to show that it is the duty of the Legislature to make adequate provision for the care and maintenance of these persons. This duty is recognized by the establishment of our present institutions; erected and maintained at great expense by the cheerful tax contributions of the people of our State. The duty of caring for a part of this class being recognized, the Legislature cannot stop short of a full provision for every one of them, without, in the opinion of this committee, failing in one of the most sacred trusts confided to them by the people of this State. Neither the policy or the duty of the Legislature, in this regard, being an open question, it only remains to consider how this trust can be executed with the greatest economy to the State, and the most benefit to these unfortunates.

It is proper to state, that the plan hereinafter recommended was suggested by the respective Superintendents of the Lunatic Asylums and the Feeble-minded Institute, after consultation with each other.

It appears there are 50 epileptics or idiots in the Eastern, and 51 of the same class in the Western Asylum. It is proposed to transfer these patients—101 in all—to the Feeble-minded Institute, and thus make room for the same number of lunatics at the two asylums.

Dr. Black, Superintendent of the Feeble-minded Institute, estimates that an expenditure of thirty thousand dollars ($30,000) will provide for that additional number of patients at the Institution under his charge.

Dr. Whitney, of the Eastern Asylum, says that ten thousand dollars ($10,000) will provide accommodations for 50 additional female lunatics at his Institution; thus, by the expenditure of forty thousand dollars ($40,000) provision can be made for all the lunatics in the State, including the feeble-minded and epileptics or idiots; while separating these two classes, an arrangement in itself very important, as it is thought their association—now compulsory—is detrimental to the welfare of the insane, the only class that is considered curable.

If an argument, drawn from considerations of economy, were needed to add force to those based on the higher duties we owe to humanity, it might be found in the fact, that a large portion of the insane and idiotic persons who are now excluded from the asylums for want of room, are maintained by the State in jails, or in the care of persons hired for that purpose, without hope of benefit, and at greater cost than would be required to keep them in more comfort in the asylums where they might receive a course of treatment which experience proves would aid materially in their restoration to mental and physical health.

We will only add, that we have before us tabular statements showing the cost of maintaining this class of persons in each of our sister States, by which it appears that the cost per patient is less in our Institutions than in any other, while the proportion of cures shows a more satisfactory result. Our people, therefore, have a right to be proud of the results of their past efforts in this field of Christian and

philanthropic duty; and, in the opinion of your committee, this Legislature would fail in reflecting the feelings and wishes of the people of this State, if any considerations of false economy should influence them to refuse the appropriations deemed necessary for the proper care of the helpless class whose welfare has been confided to its keeping.

The committee are of the opinion that the highest evidences any people can give of their advancement in Christian civilization and refinement are those indications shown in their public charities; and satisfied, as we are, that our constituents are not only willing but anxious to see all the destitute unfortunates in the State, of which the Institutions visited are the proper custodians, amply provided for, we hereby earnestly but respectfully urge the Legislature to make all necessary appropriations for that purpose.

While it is not a subject embraced in the resolution under which this committee was raised, yet we cannot close this report without calling the attention of the Legislature to certain facts connected with the Western Asylum.

In order to protect the interests of the State, the Board of Managers of the Western Asylum found it necessary to buy a small tract of land (27½ acres) adjoining the Asylum grounds, at a cost of about one thousand dollars ($1,000). Your committee would earnestly recommend an appropriation to meet this purchase, from the fact that the land was for sale, and might have been bought and occupied by persons obnoxious to the interests of the Institution.

We also found the road leading from Hopkinsville to the Asylum in very bad condition, and would recommend an appropriation of two thousand dollars ($2,000), which, when added to a similar amount which the citizens propose to raise, will be sufficient to make a good turnpike.

We would also recommend an appropriation of forty-five hundred dollars ($4,500) to enable the Board of Managers of that Institution to furnish their new kitchen with a suitable cooking range, and replace old and worn-out furniture in the various wards of this Asylum, and suitable seats and furniture in the chapel lately erected under an appropriation of the General Assembly.

A. G. TALBOTT,
Chairman Senate Committee.
D. L. PRICE,
Chairman House Committee.

Ordered, That the same be printed for the use of the General Assembly.

A message was received from the Senate, requesting to withdraw from the House the announcement of the passage by the Senate of bill , which originated in the House of Representatives, of the following titles, viz:

An act to amend the charter of the town of Cloverport.

An act to amend and reduce into one the several acts relating to the charter and amendments thereto of the town of Mt. Sterling.

Which was granted.

Bills were reported by the several committees, who were directed to prepare and bring in the same, of the following titles, viz:

By Mr. DeMoss, from the Committee on Ways and Means—

A bill to authorize the city of Newport, in Campbell county, to purchase certain real estate.

By Mr. G. W. Anderson, from the Committee on Corporate Institutions—

A bill to incorporate the Caverna and Burksville Turnpike Road Company.

By Mr. Silvertooth, from the Committee on Circuit Courts—

A bill to secure the execution of the penal laws of the State in the counties of Clinton, Cumberland, and Monroe.

By Mr. Simmons, from the Committee on Ways and Means—

A bill to authorize the trustees of the town of Alexandria, in Campbell county, to change an alley in said town.

By same—

A bill to incorporate the trustees of the Baptist Church in the town of Alexandria, in Campbell county.

By same—

A bill for the benefit of the sureties of Young E. Hurt, late sheriff of Adair county.

By same—

A bill to provide compensation to the clerk of the Campbell circuit court, for making cross index to the suits and records thereof.

By same—

A bill for the benefit of M. H. Johns, of Lawrence county.

By Mr. Frazer, from the same committee—

A bill for the benefit of E. M. Flack, sheriff of Todd county.

By Mr. Caldwell, from the Committee on Corporate Institutions—

A bill to incorporate the DeMossville and Gardnersville Turnpike Road Company, in Pendleton county.

By Mr. Frazer, from the Committee on Ways and Means—

A bill to repeal an act, entitled "An act to provide for paying the arrears of pay due deceased soldiers to their widows or heirs," approved August 31, 1862, and all amendments thereto.

By same—

A bill for the benefit of Thos. Monarch, late tax collector of Daviess county.

By Mr. Spalding, from the same committee—

A bill concerning the collection of claims of the State of Kentucky against the Federal Government.

By same—

A bill for the benefit of Barren county.

Which were read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

A message was received from the Senate, announcing that they had passed a bill, which originated in the House of Representatives, entitled

An act to authorize the city of Newport, in Campbell county, to purchase certain real estate.

Mr. E. Anderson moved to reconsider the vote by which, on yesterday, the House passed a bill, entitled

A bill to regulate toll-gates on turnpike roads in Fayette county.

Said motion was placed in the orders of the day.

Mr. Quick, from the Committee on Enrollments, reported that the committee had examined an enrolled bill, which originated in the House of Representatives, entitled

An act to authorize the city of Newport, in Campbell county, to purchase certain real estate;

And had found the same truly enrolled.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Quick inform the Senate thereof.

Bills from the Senate were reported, without amendment, by the committees to whom they had been referred, of the following titles, viz:

By Mr. Silvertooth, from the Committee on Circuit Courts—

An act changing the time of holding the Warren court of common pleas.

By Mr. G. W. Anderson, from the Committee on Corporate Institutions—

An act to incorporate the town of Milledgeville, in Lincoln county.

By same—

An act to amend an act, entitled "An act to amend an act, entitled 'An act incorporating the town of Hustonville.'"

By Mr. McKenzie, from the Committee on Railroads—

An act to incorporate the Woodford Railroad Company.

By Mr. Frazer, from the Committee on Ways and Means—

An act to amend an act, entitled "An act to tax incomes on United States bonds," approved March 8, 1867.

By same—

An act for the benefit of A. C. Thomas, late sheriff of Nelson county, and his sureties.

By Mr. Spalding, from the same committee—

An act to procure the collection of the revenue and county levy of Clay county for the year 1870.

Ordered, That said bills be read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Frazer, from the Committee on Ways and Means, to whom was referred a bill from the Senate, entitled

An act to provide for payment for books procured under the act approved March 21, 1870, entitled "An act regarding sheriffs in the Commonwealth of Kentucky,"

Reported the same without amendment, and with the expression of opinion that said bill ought not to pass.

The question being taken on ordering said bill to be read a third time, it was decided in the negative.

And so said bill was disagreed to.

Mr. Frazer, from the Committee on Ways and Means, who were directed to prepare and bring in the same, reported

A bill to amend an act, entitled "An act for the benefit of late clerks, sheriffs, late jailers, and other civil officers of this Commonwealth having uncollected fee bills."

Which was read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Mr. Silvertooth moved an amendment thereto, which was adopted.

Ordered, That said bill, as amended, be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Simmons, from the Committee on Ways and Means, who were directed to prepare and bring in the same, reported

A bill for the benefit of H. J. Colvin, late sheriff of Taylor county.

Which was read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

The question was taken on ordering said bill to be engrossed and read a third time, and it was decided in the negative.

And so said bill was rejected.

Mr. Simmons, from the Committee on Ways and Means, who were directed to prepare and bring in the same, reported

A bill to provide for a revision or codification of the revenue laws of this Commonwealth.

Which was read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be referred to a select committee, consisting of Messrs. Chrisman, Caldwell, Spalding, Simmons, and E. Anderson, with instructions to report thereon to the House on Thursday next, at 10 o'clock, A. M.

Mr. Simmons, from the Committee on Ways and Means, who originated the same, reported

A bill to increase the compensation of the first or principal clerk in the land office.

Which was read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

Said bill being engrossed, was read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That hereafter the compensation of the first or principal clerk in the Land Office shall be fifteen hundred dollars per annum, to be paid quarterly out of any money in the Treasury not otherwise appropriated.

§ 2. This act shall take effect from its passage.

The question was then taken on the passage of said bill, and it was decided in the negative.

The yeas and nays being required thereon, in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Bunch),	Clinton Griffith,	W. H. Pettus,
George W. Anderson,	Elijah Hurst,	W. V. Prather,
W. F. Barret,	William Irwin, sr.,	Douglass L. Price,
J. F. Baugh,	Alfred M. Jones,	George W. Riddle,
D. M. Bowen,	John W. Kendall,	Geo. W. Silvertooth,
William B. Caldwell,	Francis M. Lowe,	Robert Simmons,
Thomas T. Cogar,	George R. McKee,	Henry H. Skiles,
R. L. Cooper,	James A. McKenzie,	Richard M. Spalding,
George R. Diamond,	Joshua B. Parks,	P. M. Thurmond,
James P. Ford,	E. A. Pearson,	J. L. Waring—31.
W. W. Frazer,		

Those who voted in the negative, were—

Wm. Adair,	D. E. Downing,	James Kilgore,
Silas Adams,	H. G. Duerson,	James B. McCreary,
P. W. Barron,	John Duvall,	William J. McElroy,
R. C. Beauchamp,	L. D. Good,	Thomas H. Moss,
Howell Brewer,	Ashton P. Harcourt,	G. W. Quick,
E. Burr,	Ben. Hardin,	Geo. W. Terrell,
J. S. Chrisman,	J. B. Hays,	A. D. Weller,
F. R. Davis,	Thomas H. Hays,	John Wolf,
Asbury Dawson,	A. J. Hendrickson,	Hugh H. York—29.
N. C. Dille,	George M. Jessee,	

And so said bill was rejected.

Mr. Frazer, from the Committee on Ways and Means, who were directed to prepare and bring in the same, reported

A bill requiring collectors of public moneys to have book of receipts, &c.

Which was read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Mr. McCreary moved an amendment thereto.

Mr. Pope moved a substitute, by way of amendment, for the bill and amendment.

And the question being taken on the adoption of the substitute moved by Mr. Pope, it was decided in the affirmative.

Mr. E. Anderson then moved an amendment, which was rejected.

Ordered, That said bill, as amended, be engrossed and read a third time.

Said bill, as amended, being engrossed, was read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the act of which this is an amendment is hereby amended so as to require the sheriffs, marshals, and other collecting officers of town or city taxes for any purpose whatever, instead of keeping said books in their offices and handing the same over to their successors in office, shall each year, on the first day of June, return the same to the clerk's offices of their respective counties, which shall remain as public records of said county, and be evidence as such in all the courts of this Commonwealth; and that the sheriff and other officers herein named of the several counties shall procure the book herein required, for which he shall be allowed out of the county levy.

§ 2. That in case any loss is sustained by reason of the failure by such officers to comply herewith, he and his sureties shall be responsible on his official bond.

§ 3. This act shall take effect from its passage.

The question being taken on the passage of said bill, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. E. Anderson and Moss, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Bunch),	W. W. Frazer,	Joshua B. Parks,
William Adair,	Robert T. Glass,	E. A. Pearson,
Silas Adams,	L. D. Good,	W. H. Pettus,
George W. Anderson,	Clinton Griffith,	Alfred T. Pope,
Wm. F. Barret,	D. Hambleton,	W. V. Prather,
P. W. Barron,	Wm. M. Hamlin,	Douglass L. Price,
J. F. Baugh,	A. P. Harcourt,	G. W. Quick,
R. C. Beauchamp,	J. B. Hays,	George W. Riddle,
D. M. Bowen,	A. J. Hendrickson,	George W. Silvertooth,
Howell Brewer,	William Irwin, sr.,	Robert Simmons,
E. Burr,	George M. Jessee,	Henry H. Skiles,
William B. Caldwell,	Alfred M. Jones,	Richard M. Spalding,

R. L. Cooper,	John W. Kendall,	George W. Terrell,
F. R. Davis,	James Kilgore,	P. M. Thurmond,
Asbury Dawson,	Francis M. Lowe,	A. D. Weller,
George R. Diamond,	James B. McCreary,	John Wolf,
D. E. Downing,	William J. McElroy,	S. M. Wrather,
H. G. Duerson,	George R. McKee,	Hugh H. York—55.
John Duvall,		

Those who voted in the negative, were—

Ervin Anderson,	G. W. Little,	Thomas H. Moss—4.
J. S. Chrisman,		

Resolved, That the title of said bill be changed so as to read,

An act to amend an act, entitled "An act regarding sheriffs in the Commonwealth of Kentucky," approved March 21, 1870.

Mr. Wolf then moved to reconsider the vote by which said bill was passed.

Said motion was placed in the orders of the day.

Mr. Spalding, from the Committee on Ways and Means, to whom same had been referred, moved that the said committee be discharged from the further consideration of the

Memorial of the president and directors of the Mobile and Ohio Railroad, praying to be released from the payment of certain taxes due the State from said road.

Pending the consideration of said motion, the House adjourned.

MONDAY, MARCH 6, 1871.

A message was received from the Senate, announcing that they had received official information that the Governor had approved and signed enrolled bills, which originated in the Senate, of the following titles, viz:

An act to incorporate the Greensburg, Columbia, and New Haven Turnpike Road Company.

An act to incorporate the Kentucky High School at Frankfort.

An act to charter the Edgeworth Institution of Learning in Lexington, Fayette county.

An act to amend the charter of the Deposit Bank of Eminence.

An act for the benefit of the sureties of H. M. Wade, late sheriff of Marshall county, on his revenue bond for the year 1869.

An act to amend an act incorporating the Vanceburg Male and Female Academy.

An act for the benefit of Dallasburg school district, in Owen county.

An act for the benefit of inebriates and their relatives.

An act to amend an act, entitled, "An act to incorporate the Gaylord Iron and Manufacturing Company," approved March 16, 1869.

That they had disagreed to a bill, which originated in the House of Representatives, entitled

An act to amend section 5, article 7, chapter 32, Revised Statutes, title "Elections."

That they had passed bills, which originated in the House of Representatives, of the following titles, viz:

An act to amend section 21, chapter 84, entitled "Roads and Passways," Revised Statutes.

An act to amend section 6, of article 3, chapter 26, Revised Statutes, title "County Levy."

An act to protect owners of land in Carroll, Hardin, and Gallatin counties from trespasses.

An act for the benefit of Clark and Montgomery counties.

An act for the benefit of Slate Union or Salt Well Church, in Bath county.

An act to prohibit the sale of intoxicating liquors at the Falls of Rough, in Grayson county, or within five miles thereof.

An act to incorporate the town of Casey's Mines, in Union county.

An act to amend the charter of Cave City, in Barren county.

An act to amend and reduce into one the acts incorporating the town of Paintsville.

An act to amend the charter of the city of Henderson.

An act for the benefit of manufacturing, furnace, and mining establishments in the counties of Greenup, Boyd, Carter, and Lawrence.

An act to amend the charter of the town of Cloverport.

With amendments to the last two named bills.

That they had adopted a resolution and passed bills of the following titles, viz:

Resolution in relation to Irish exiles.

1. An act to amend an act, entitled "An act to amend an act, entitled 'An act to incorporate the St. Bernard Coal Company.'"

2. An act to amend section 3, article 3, chapter 17, of Revised Statutes.

3. An act to authorize and provide for the erection of a new courthouse and clerks' offices in Fayette county.

4. An act to amend an act, entitled "An act to incorporate a Savings and Deposit Bank in Elkton, in Todd county.

5. An act to amend the charter of the town of Flemingsburg.

6. An act to amend the charter of the Liberty and Middleburg Turnpike Road Company, approved March 21, 1870.

Which were read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That they be referred—the 1st and 5th to the Committee on Corporate Institutions; the 2d to the Committee on Revised Statutes; the 3d to the Committee on County Courts; the 4th to the Committee on Banks; and the 6th to the Committee on Internal Improvement.

Leave was given to bring in the following bills, viz:

On motion of Mr. Silvertooth—

1. A bill to authorize the county court of Fulton county to levy and collect a tax to build a jail in said county.

On motion of Mr. Adams—

2. A bill to charter the Middleburg and Trace Fork Turnpike Road Company.

Ordered, That a select committee, consisting of Messrs. Silvertooth, McKee, and Simmons, prepare and bring in the 1st, and the Committee on Internal Improvement the 2d.

Mr. Quick, from the Committee on Enrollments, reported that the committee had examined an enrolled bill, which originated in the Senate, of the following titles, viz :

An act for the benefit of Emma Wade, widow of Wm. M. Wade, deceased ;

An act for the benefit of John C. Gardner, late clerk of the Fulton circuit court ;

And also enrolled bills, which originated in the House of Representatives, of the following titles, viz :

An act authorizing and directing the sale of the interest and stock owned by the State of Kentucky in turnpike roads or turnpike road companies;

An act authorizing and empowering county courts to purchase from Commissioners of the Sinking Fund stock in turnpike roads belonging to the State of Kentucky;

An act to fix the time of holding the common pleas court in McCracken and Ballard counties, and regulating its jurisdiction in certain cases;

And had found the same truly enrolled.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Quick inform the Senate thereof.

Mr. Glass moved the following resolution, viz :

Resolved, That the use of the Hall of the House of Representatives be given to the Kentucky Blue-grass Temperance Convention, which convenes in the city of Frankfort on the last Tuesday of August, 1871, for and during the period of its deliberations.

Which was adopted.

Mr. Pope, from a select committee, who were directed to prepare and bring in the same, reported

A bill to establish a Bureau of Immigration.

Which was read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be printed.

Mr. McKenzie, from the Committee on Railroads, to whom was recommitted a bill, entitled

A bill to amend the charter of the Licking and Big Sandy Railroad Company,

Reported the same without amendment.

Ordered, That said bill be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

On motion of Mr. McKenzie, leave was given him to withdraw the motion heretofore entered by him to reconsider the vote by which this House passed a bill from the Senate, entitled

An act to incorporate and endow Graves County Female Seminary.

And the Clerk was directed to report said bill to the Senate as passed by the House.

A message was received from the Senate, announcing that they had adopted a resolution, entitled

Resolution to print report of engineers of Big Sandy river.

The rule being suspended, said resolution was taken up and twice read.

Said resolution reads as follows, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That ten copies of the supplemental report of the Commissioners of Big Sandy river, and Engineer's report accompanying, be printed for the use of each member of this General Assembly; and that the Public Printer furnish the same enveloped and stamped.

And the question being taken on concurring in the adoption of said resolution, it was decided in the negative.

The yeas and nays being required thereon by Messrs. E. Anderson and Prather, were as follows, viz:

Those who voted in the affirmative, were—

William Adair,	I. B. Combs,	Thomas H. Hays,
William F. Barret,	R. L. Cooper,	John W. Kendall,
J. F. Baugh,	F. R. Davis,	James Kilgore,
D. M. Bowen,	N. C. Dille,	James B. McCreary,
Samuel W. Brents,	D. E. Downing,	Alfred T. Pope,
J. S. Chrisman,	John Duvall,	W. V. Prather,
James R. Claybrook,	James P. Ford,	Robert Simmons,
Thomas T. Cogar,	Ben. Hardin,	R. M. Spalding—24.

Those who voted in the negative, were—

Silas Adams,	Ashton P. Harcourt,	Thomas H. Moss,
Ervin Anderson,	J. B. Hays,	W. H. Pettus,

Howell Brewer, Asbury Dawson, George R. Diamond, H. G. Duerson, W. W. Frazer, Robert T. Glass, L. D. Good, D. Hambleton, A. J. Hendrickson, James R. Hindman, Wm. Irwin, sr., G. W. Little, William J. McElroy, Geo. R. McKee, James A. McKenzie, G. W. Quick, George W. Riddle, George W. Silvertooth, Henry H. Skiles, P. M. Thurmond, A. D. Weller, Hugh H. York—28.

And so said resolution was disagreed to.

A message was received from the Senate, asking leave to withdraw from the House the announcement of the passage by the Senate of a bill, which originated in the House of Representatives, entitled

An act to amend an act, entitled "An act to incorporate the Shelbyville Cemetery Company."

Which was granted.

And after a time a message was again received from the Senate, announcing that they had passed said bill with amendments thereto.

Mr. E. Anderson, from the Committee on Ways and Means, who were directed to prepare and bring in the same, reported

A bill for the benefit of Robert Gibbs.

Which was read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

Said bill was then read a third time as follows, viz:

WHEREAS, It appears that Robert Gibbs is a man of probity and good demeanor, by the certificate of the trustees of the town of Harrodsburg; and whereas, the said trustees are prohibited from continuing said Gibbs' license as a coffee-house keeper; and whereas, there are other coffee-house keepers in Harrodsburg, whose license do not expire until January 2, 1872, and the continuation of said Gibbs' license will be but an act of simple justice; therefore,

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the license of Robert Gibbs, as a coffee-house keeper, with authority to retail spirituous liquors, be, and the same is hereby, continued as long as the license of James M. Wright is in force, upon the payment by said Gibbs of the same fees and tax that he now pays for his license to the trustees of Harrodsburg, and executing bond as required by law; and this act shall bar any indictment or prosecution against said Gibbs, as fully as if said Gibbs had been regularly and legally licensed by the trustees of Harrodsburg, as he now is licensed by law.

§ 2. This act to be a law from its passage.

The question was then taken on the passage of said bill, and no quorum voting thereon, said bill was placed in the orders of the day.

The yeas and nays being required thereon by Messrs. Good and Prather, were as follows, viz:

Those who voted in the affirmative, were—

Ervin Anderson,	W. W. Frazer,	James B. McCreary,
D. M. Bowen,	R. T. Glass,	James A. McKenzie,
Howell Brewer,	Clinton Griffith,	Alfred T. Pope,
J. S. Chrisman,	T. H. Hays,	W. V. Prather,
James R. Claybrook,	James R. Hindman,	G. W. Quick,
Thomas T. Cogar,	William Irwin, sr.,	Geo. W. Silvertooth,
N. C. Dille,	John W. Kendall,	Henry H. Skiles,
John Duvall,	James Kilgore,	Richard M. Spalding,
James P. Ford,	G. W. Little,	Hugh H. York—27.

Those who voted in the negative, were—

Wm. Adair,	Asbury Dawson,	Francis M. Lowe,
W. F. Barret,	D. E. Downing,	William J. McElroy,
P. W. Barron,	H. G. Duerson,	George R. McKee,
J. F. Baugh,	John N. Furber,	Thomas H. Moss,
Samuel W. Brents,	L. D. Good,	W. H. Pettus,
R. L. Cooper,	D. Hambleton,	A. D. Weller—20.
F. R. Davis,	A. J. Hendrickson,	

A message was received from the Senate, announcing that they had appointed a committee, to act in conjunction with a committee from the House, which they also requested to be appointed, to wait upon the Governor, and request him to return to the Senate, unsigned, an enrolled bill, which originated in the House of Representatives, entitled

An act to amend the charter of the town of Cromwell, in Ohio county.

Which request was granted; and thereupon Messrs. Beauchamp and Thurman were appointed the committee for that purpose on the part of the House.

Who, having retired, after a time returned to the House, and reported the joint committee had discharged that duty.

A message was received from the Senate, announcing that they had adopted a joint resolution, entitled

Resolution in relation to a final adjournment of the present session of the General Assembly.

Under the rule, said resolution lies one day on the table.

The House then took up the joint resolution heretofore reported from the Senate, entitled

Resolution in relation to claims against United States Government for tolls on Green and Barren rivers.

Said resolution being twice read, was unanimously adopted.

The House resumed the consideration of bills heretofore reported to the House, entitled

A bill to amend an act, entitled "An act to revise, amend, and reduce into one the laws relating to the common schools of Kentucky."

A bill to amend the common school law of Kentucky.

On motion of Mr. Barret, said bills were laid on the table.

Mr. Glass, from the Committee on Railroads, to whom was referred a bill from the Senate, entitled

An act to incorporate the Southern Kentucky Railroad Company,

Reported the same with an amendment thereto.

Said amendment was then adopted.

Ordered, That said bill, as amended, be read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with,

Resolved That said bill do pass, and that the title thereof be so changed as to read,

An act to incorporate the South Kentucky Railroad Company.

The House took up the several amendments proposed by the Senate to the several bills, which originated in the House of Representatives, of the following titles, viz:

1. An act in relation to official sales in Boyle county.

2. An act to amend the charter of the town of Ceralvo.

3. An act to amend the charter of the city of Dayton, in Campbell county, and for other purposes.

4. An act to amend sections 4 and 23, article 2, chapter 56, Revised Statutes, title "Landlord and Tenant," and sections 721 and 722, Civil Code of Practice.

Said amendments were concurred in, and the several titles thereof changed so as to read,

1. An act in relation to official sales in Boyle and Lincoln counties.

2. An act defining the jurisdiction of the marshal of the town of Ceralvo, in the county of Ohio.

3. An act to amend the charter of the city of Dayton, in Campbell county.

4. An act to amend sections 714, 721, and 722, Civil Code of Practice.

The House took up the several amendments proposed by the Senate to bills, which originated in the House of Representatives, of the following titles, viz:

An act to increase the jurisdiction of the mayor of the city of Dayton, in Campbell county.

An act to amend chapter 84, title "Roads and Passways," Revised Statutes.

An act in relation to the sale of spirituous liquors in Morgan county.

An act to amend section 2, article 1, of chapter 48, of the Revised Statutes, title "Idiots and Lunatics."

An act to amend section 367 of the Civil Code of Practice.

Said amendments were severally concurred in.

The House took up from the orders of the day a bill, entitled

A bill for the benefit of S. B. Huey, of Boone county.

Ordered, That said bill be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Leave of absence, indefinitely, was granted Mr. Adair.

Mr. McKenzie moved the following resolution, viz:

Resolved, That the orders of the day be suspended, indefinitely, until the regular Standing Committees of the House have reported all bills in their hands.

The question being taken on the adoption of said resolution, it was decided in the negative.

And so said resolution was rejected.

Bills from the Senate were reported, without amendment, by the committees to whom they had been referred, of the following titles, viz:

By Mr. Griffith, from the Committee on Corporate Institutions—

An act to amend an act, entitled "An act incorporating the town of Hustonville, and the several acts amendatory thereof."

By same—

An act to amend the charter of the Oakland Plank Road Company, of Jefferson county.

By same—

An act to amend the charter of the Eminence and Mulberry Turnpike Road Company.

By same—

An act to amend the charter of the town of Harrodsburg.

By same—

An act to amend the charter of the city of Hickman.

By same—

An act to amend the charter of the city of Augusta.

By same—

An act to amend the charter of the town of Catlettsburg.

By same—

An act to amend the charter of the Louisville and Jefferson County Association.

By same—

An act to incorporate the town of Sanders, in Gallatin county.

By same—

An act to amend an act, entitled "An act to repeal section 3 of the charter of Catlettsburg."

By same—

An act to reduce into one the several acts in regard to the town of Somerset.

By same—

An act to amend the charter of the town of Bethel.

By same—

An act to amend the charter of the town of Wyoming.

By same—

An act to reduce into one, amend, and digest the acts and amendatory acts incorporating the city of Paris.

Ordered, That said bills be read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Bills were reported by the several committees who were directed to prepare and bring in the same, of the following titles, viz :

By Mr. Silvertooth, from a select committee—

A bill to authorize the Fulton county court to levy and collect a tax to build a new jail, and to purchase ground for the same.

By Mr. Harcourt, from the Committee on Railroads—

A bill for the benefit of Spencer county, in relation to the Louisville, Harrodsburg, and Virginia Railroad.

By Mr. Duvall, from the Committee on County Courts—

A bill to authorize the marking and defining and establishing the line between the counties of Pendleton and Grant.

By same—

A bill to authorize the condemnation of land for county purposes in Pendleton county.

By Mr. Spalding, from the Committee on Ways and Means—

A bill for the benefit of J. W. Hazelrigg and the heirs of E. E. Duke, deceased.

By Mr. Diamond, from the same committee—

A bill for the benefit of Shadrach Combs, sheriff of Letcher county, and his sureties, for the year 1869.

By same—

A bill to authorize John B. Goff to erect a boom across Big creek, in Martin county.

By same—

A bill for the benefit of A. W. Nickell, sheriff of Johnson county, and his sureties, for the year 1867.

By same—

A bill to authorize Garred Ratliff to erect a boom across Rockcastle creek, in Lawrence county.

By same—

A bill to amend an act, entitled "An act for the improvement of the Big Sandy river," approved February 10, 1870.

By same—

A bill for the benefit of school district No. 22, in Madison county.

By Mr. E. Anderson, from the same committee—

A bill authorizing the county judge of Logan county to appropriate money to keep in repair the turnpike roads in Russellville district, in said county.

By Mr. Duvall, from the Committee on County Courts—

A bill to increase the county levy of Cumberland county for county purposes.

By same—

A bill to amend an act approved February 17, 1871, to prevent the sale of spirituous liquors, &c., in the town of Burksville.

By Mr. Griffith, from the Committee on Corporate Institutions—

A bill to amend an act, entitled "An act to incorporate the Webster Coal Company," approved March 9, 1867.

By same—

A bill to incorporate the Henderson Fence Company.

By same—

A bill to incorporate the town of Spottsville, in Henderson county.

By same—

A bill to incorporate the Louisville Stock Yard Company.

By same—

A bill to incorporate the Kentucky Masonic Mutual Relief Association.

By same—

A bill to incorporate the First Baptist Church of Louisville.

By same—

A bill to incorporate the Kentucky Annual Conference of the Colored Methodist Episcopal Church in America.

By same—

A bill to amend an act, entitled "An act to incorporate the Bowling Green Manufacturing Company."

By same—

A bill to incorporate the Iron Works Turnpike Road Company.

By same—

A bill to incorporate the Gano Hill Turnpike Company.

By same—

A bill to incorporate the Big Eagle and Connersville Turnpike Company.

By same—

A bill to incorporate the Parker's Mill, Stonewall, and Connersville Turnpike Company.

By same—

A bill to amend the charter of the city of Frankfort.

By same—

A bill to amend an act, entitled "An act to amend and reduce into one the several acts relating to the town of Georgetown," approved March 1, 1847.

By same—

A bill to incorporate the Teutonia Maeunerchor of Louisville.

By same—

A bill to incorporate the Machinists' and Blacksmiths' Benevolent Society, of Louisville.

By Mr. Burr, from the same committee—

A bill to amend and reduce into one the several acts in reference to the town of Eminence.

By same—

A bill to extend and enlarge the corporate limits of the town of South Carrollton, in Muhlenburg county.

By same—

A bill to amend and reduce into one all the acts concerning the town of Edmonton.

By same—

A bill to incorporate the United States Lithographic Stone Company, in Woodford county.

By same—

A bill to incorporate the Kentucky Baptist Historical Society.

By Mr. Griffith, from the same committee—

A bill to amend the charter of the town of Mayfield.

By same—

A bill to incorporate the Cumberland Presbyterian Church of Mayfield.

By same—

A bill to amend an act, entitled "An act to incorporate the town of Pleasureville, in Henry county."

By same—

A bill to authorize the election of town officers for Mackville, Washington county.

By Mr. Brewer, from the same committee—

A bill to incorporate the town of Morses, in Graves county.

By same—

A bill to prevent the sale of spirituous liquors in the town of Middleburg, Casey county.

By same—

A bill to amend an act, entitled "An act to amend the Concord and Tollsboro Turnpike Road Company."

By same—

A bill to incorporate the town of Tollsboro.

By Mr. Griffith, from the same committee—

A bill to amend the charter of the Beargrass Transportation Company.

By same—

A bill to amend an act, entitled "An act to incorporate the Central Passenger Railroad Company of the city of Louisville."

By same—

A bill to incorporate the town of Knowlesburg, in Morgan county.

By same—

A bill to incorporate the Louisville Fireman's Benevolent Association.

By same—

A bill to require turnpike road companies, in Lewis county, to make annual settlements with the county judge.

By same—

A bill to incorporate the Obion Presbytery, of the Cumberland Presbyterian Church, in western Kentucky.

By same—

A bill to incorporate the town of Mt. Olivet, Robertson county.

By same—

A bill to incorporate the Quick's Run and Stout's Landing Turnpike Company.

By same—

A bill to incorporate Canton Lodge, No. 170, I. O. O. F.

By same—

A bill to incorporate the Orphan's Home Lodge, No. 178, I. O. O. F.

By same—

A bill to incorporate Mephebosheth Lodge, No. 184, I. O. O. F., at Princeton.

By same—

A bill incorporating College Street Presbyterian Church, Louisville.

By same—

A bill to amend the charter of the town of Midway.

By same—

A bill to amend an act, entitled "An act incorporating Sherburne Bridge Company," approved March 9, 1854.

By same—

A bill to amend 2d section of an act, entitled "An act to amend the charter of the town of Springfield."

Which were read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

The House took up for furthur consideration a bill from the Senate, entitled

An act to cause good school-houses to be erected in the Eighth and Ninth Congressional Districts,

And the amendments thereto adopted by this House.

Ordered, That said bill, as amended, be read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

The House then took up the amendment proposed by the Senate to a bill, which originated in the House of Representatives, entitled

An act to establish C. L. S. Mathews as a citizen of Cumberland county.

Said amendment was concurred in, and the title changed so as to read,

An act defining the boundary line between the counties of Cumberland and Adair.

And then the House adjourned.

TUESDAY, MARCH 7, 1871.

The following petitions were presented, viz:

By Mr. Price—

1. The petition of the Farmers' Club of Fayette county, praying the passage of a law for the protection of sheep from destruction by dogs.

By Mr. McKenzie—

2. The petition of M. H. Bronaugh, praying compensation for certain labor performed for the Western Lunatic Asylum.

By Mr. McKee—

3. The petition of certain citizens of Woodford county, protesting against the passage of a bill to incorporate the Woodford County Railroad Company.

Which were received, the reading dispensed with, and referred—the 1st to the Committee on Agriculture and Manufactures; the 2d to the Committee on Claims; and the 3d to the Committee on Railroads.

Leave of absence, indefinitely, was granted Messrs. Barron and Hendrickson.

Mr. McKenzie moved to reconsider the vote by which, on yesterday, this House rejected a resolution from the Senate, entitled

Resolution to print report of engineers of Big Sandy river.

And the question being taken on the motion of Mr. McKenzie, it was decided in the affirmative.

And so said vote was reconsidered.

Mr. Quick, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the Senate, of the following titles, viz:

An act for the benefit of A. C. Thomas, late sheriff of Nelson county, and his sureties;

An act changing the time of holding the Warren court of common pleas;

An act to amend an act, entitled "An act to amend an act, entitled 'An act incorporating the town of Hustonville;'"

An act to procure the collection of the revenue and county levy of Clay county for the year 1870;

An act to incorporate and endow Graves County Female Seminary;

An act to amend an act, entitled "An act to tax incomes on United States bonds," approved March 8, 1867;

And also enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to amend sections 714, 721, and 722, Civil Code of Practice;

An act to amend chapter 84, title "Roads and Passways," Revised Statutes;

An act to amend section 367 of the Civil Code of Practice;

An act in relation to official sales in Boyle and Lincoln counties;

An act defining the boundary line between the counties of Cumberland and Adair;

An act defining the jurisdiction of the marshal of the town of Ceralvo, in the county of Ohio;

And had found the same truly enrolled.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Quick inform the Senate thereof.

On motion of Mr. Cogar, the consideration of a bill, entitled

A bill for the benefit of the Kentucky River Navigation Company and others,

Was postponed to, and made the special order of the day for, tomorrow, 8th inst., at 20 minutes past 9 o'clock, A. M.

The House then took up the motion heretofore made, to reconsider the vote by which this House rejected a bill, entitled

A bill for the benefit of Mrs. Russell Kavanaugh, widow of the late Judge G. W. Kavanaugh.

And the question being taken thereon, it was decided in the affirmative.

And so said vote was reconsidered.

Mr. McKenzie then moved to reconsider the vote by which said bill was ordered to be read a third time.

And the question being taken thereon, it was decided in the affirmative.

Ordered, That said bill be recommitted to the Committee on Circuit Courts.

The House took up the motion heretofore made to reconsider the vote by which the House passed a bill, entitled

An act to amend sections 24, 29, and 827, of the Civil Code of Practice, regulating the jurisdiction and pleadings of quarterly courts and justices of the peace."

Mr. Thurmond moved to lay the motion to reconsider said vote on the table.

And the question being taken on the motion of Mr. Thurmond, it was decided in the affirmative.

And so said motion to reconsider was rejected.

Mr. McKee moved that a message be sent to the Senate, asking leave to withdraw therefrom the announcement of the passage by the House of a bill, which originated in the Senate, entitled

An act to incorporate the Woodford Railroad Company.

The question being taken on the motion of Mr. McKee, it was decided in the negative.

And so the House refused to send said message.

Mr. McKee then moved to reconsider the vote by which said bill was passed by the House.

Mr. Ford moved to lay the motion of Mr. McKee to reconsider said vote on the table.

And the question being taken on the motion of Mr. Ford, it was decided in the negative.

The yeas and nays being required thereon by Messrs. McKee and Ford, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Bunch),	Samuel G. Geisler,	J. J. McAfee,
Silas Adams,	L. D. Good,	James A. McKenzie,
Ervin Anderson,	Ashton P. Harcourt,	Joshua B. Parks,
Wm. F. Barret,	J. B. Hays,	W. H. Pettus,
Howell Brewer,	T. H. Hays,	G. W. Quick,
J. C. DeMoss,	Elijah Hurst,	William S. Richart,
George R. Diamond,	William Irwin, sr.,	G. W. Silvertooth,
N. C. Dille,	John W. Kendall,	A. D. Weller,
John Duvall,	James Kilgore,	S. M. Wrather,
James P. Ford,	G. W. Little,	Hugh H. York—30.

Those who voted in the negative, were—

J. F. Baugh,	Asbury Dawson,	George R. McKee,
Robert C. Beauchamp,	D. E. Downing,	Mason Morris,
D. M. Bowen,	H. G. Duerson,	E. A. Pearson,
E. Burr,	W. W. Frazer,	W. V. Prather,
William B. Caldwell,	John N. Furber,	Henry H. Skiles,
Landon Carter,	Clinton Griffith,	R. M. Spalding,
J. S. Chrisman,	James R. Hindman,	P. M. Thurmond,

I. B. Combs,	Francis M. Lowe,	J. L. Waring,
R. L. Cooper,	James B. McCreary,	L. Wilson,
F. R. Davis,	William J. McElroy,	John Wolf—30.

The question was then taken on the motion of Mr. McKee to reconsider the vote by which said bill was passed by the House, and it was decided in the negative.

And so the House refused to reconsider said vote.

A message was received from the Senate, announcing that they had disagreed to bills, which originated in the House of Representatives, of the following titles, viz:

An act for the benefit of Dunaway Church, in Clark county, and the protection of religious worship therein.

An act to amend an act, entitled "An act authorizing the legal voters of the county of Lee to locate the county seat of said county," approved January 28, 1871.

An act explanatory of an act to regulate the sale of intoxicating drinks in Hawesville.

An act for the benefit of W. J. Lile.

An act to amend an act, entitled "An act for the protection of small birds and other game," Revised Statutes.

That they had passed bills, which originated in the House of Representatives, of the following titles, viz:

An act to amend an act incorporating the Northeastern Kentucky Agricultural Association, approved February 22, 1860, and to legalize the election of officers heretofore, and their acts as such.

An act to prohibit the sale of intoxicating liquors in district No. 9, in Meade county.

An act to extend the time to the Hart county court in which to build fire-proof vaults.

An act changing the time of holding the Montgomery quarterly courts.

An act to incorporate the Tradewater Coal and Transportation Company.

An act to amend the first section of an act, entitled "An act to amend the charter of the Washington County Agricultural Society," approved February 20, 1868.

An act for the benefit of Lincoln county.

An act to authorize the Fulton county court to levy and collect a tax to build a new jail, and to purchase ground for the same.

An act to amend title 10, chapter 467, of the Civil Code of Practice.

An act to prohibit the sale of spirituous, vinous, or malt liquors in magistrates' district No. 2, in the county of Franklin.

An act to repeal an act, entitled "An act for the benefit of the citizens of Williamsburg, in Whitley county."

An act to prohibit the sale of spirituous, vinous, or malt liquors in the town of Saloma, in Taylor county.

An act to prohibit the selling, giving, or loaning intoxicating liquors in the village of Aaron's Run, or within a radius of two miles from the centre thereof.

An act for the benefit of the town of Hodgenville, in Larue county.

An act to change the time of holding the February term of the Marion circuit court.

An act for the benefit of Greenville Hill Cemetery.

An act to authorize the citizens of Knox county to vote a tax for the purpose of constructing public buildings.

An act for the benefit of the Presbyterian Church in the town of Winchester.

An act to prohibit the sale of spirituous, vinous, and malt liquors in the village of Paint Lick, Garrard county.

An act to prevent the sale of spirituous, vinous, or malt liquors in the county of Jackson.

With amendments to the last two named bills.

And that they had passed bills of the following titles, viz:

1. An act for the benefit of Johnson county.

2. An act to prohibit the sale of spirituous, vinous, or malt liquors in the town of Campbellsville, Ky.

3. An act to amend an act, entitled "An act for the benefit of the county court of Union county," approved February —, 1871.

4. An act to amend an act, entitled "An act to amend and reduce into one the several acts relating to the town of Morganfield."

5. An act to amend the road law of Henderson, Union, Taylor, and Grayson counties.

6. An act to amend the charter of the Masonic Temple Company, of Louisville.

7. An act to amend the charter of the Warren Deposit Bank.

8. An act for the benefit of Henry county.

9. An act to change the time of holding the circuit courts of Pulaski county, in the 8th judicial district.

10. An act to change the time of holding the Warren quarterly court.

11. An act to increase the jurisdiction of the police court of the town of Lebanon, Marion county.

12. An act to increase the jurisdiction of the quarterly courts of the counties of Estill and Powell.

Which were read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That they be referred—the 1st, 3d, 5th, 8th, and 10th to the Committee on County Courts; the 2d to the Committee on Religion; the 4th and 6th to the Committee on Corporate Institutions; the 7th to the Committee on Banks; the 9th to the Committee on Circuit Courts; and the 11th and 12th to the Committee on the Judiciary.

Bills from the Senate were reported, without amendment, by the committees to whom they had been referred, of the following titles, viz:

By Mr. Griffith, from the Committee on Corporate Institutions—

An act to amend the charter of the town of Flemingsburg.

By Mr. Caldwell, from the same committee—

An act to incorporate the town of Glasgow Junction and Mammoth Cave.

By Mr. Griffith, from the same committee—

An act to amend an act, entitled "An act to amend and reduce into one all acts in relation to the incorporation of the town of Morgantown."

By Mr. Duvall, from the Committee on County Courts—

An act to create and regulate the office of county treasurer for McCracken county.

By Mr. Griffith, from the Committee on Corporate Institutions—

An act to incorporate the Kentucky Statesman Printing Company.

Ordered, That said bills be read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

The House took up from the orders of the day a bill from the Senate, entitled

An act to incorporate the Louisville Railway Transfer Company, and conferring certain powers in relation thereto on the Louisville, Cincinnati and Lexington, and Louisville and Nashville Railroad Companies,

With the amendments proposed thereto.

The amendments proposed by Mr. Barret were then adopted.

Ordered, That said bill, as amended, be read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Waring, from the Committee on Corporate Institutions, to whom was referred a bill from the Senate, entitled

An act to amend an act, entitled "An act to authorize the city of Newport to supply itself and others with pure water, and to establish water-works," approved January 26, 1871,

Reported the same without amendment.

On motion of Mr. Price, said bill was recommitted to the Committee on the Judiciary.

According to order, the House took up for further consideration the motion heretofore made to reconsider the vote by which the House rejected a bill, entitled

A bill to amend section 1, article 26, chapter 28, Revised Statutes, title "An act to prohibit the carrying of concealed deadly weapons."

And the question being taken on reconsidering said vote, it was decided in the affirmative.

Mr. McCreary then moved to reconsider the vote by which said bill was ordered to be read a third time.

The question being taken thereon, it was decided in the affirmative.

Mr. McCreary then moved an amendment, by way of substitute, for said bill.

Mr. Price moved an amendment to the amendment moved by Mr. McCreary.

Mr. Thurmond then moved to lay the bill and proposed amendments on the table.

And the question being taken on the motion of Mr. Thurmond, it was decided in the negative.

The amendment to the amendment moved by Mr. Price was adopted.

Mr. Harcourt moved an amendment to the amendment proposed by Mr. McCreary, which was also adopted.

Mr. McCreary's amendment, as amended, was then adopted.

Ordered, That said bill, as amended, be engrossed and read a third time.

Said bill being engrossed, was read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That if any person shall hereafter carry concealed any deadly weapons other than an ordinary pocket-knife, except as provided for in next section, he shall be fined on the first conviction not less than twenty-five dollars nor more than one hundred dollars, or imprisoned not less than thirty days nor more than sixty days, or both so fined and imprisoned; and on any subsequent conviction not less than one hundred nor more than four hundred dollars, or imprisoned not less than two months nor more than six months, or both.

§ 2. That the carrying of concealed deadly weapons shall be legal in the following cases: 1st, where the person has reasonable grounds to believe his person or the person of some of his family or his property is in danger from violence or crime; 2d, where sheriffs, constables, marshals, and policemen carry such weapons as are necessary to their protection in the efficient discharge of their duty; 3d, where persons are required by their business or occupation to travel during the night, the carrying concealed deadly weapons during such travel.

§ 3. It shall be the duty of all judicial and ministerial officers in this State to apprehend each violation within their knowledge of this act, and to take such person before the county judge or justice of the peace in the county in which said offense was committed, who, if he believes the accused is guilty, on hearing the proof, shall require him to give such bail as will insure his appearance at the next term of the circuit court for said county, to answer any indictment found against him in said court for said offense.

§ 4. If any such officer shall knowingly and willfully fail to discharge his duty under this act, he shall, upon indictment found by the grand jury of his county, and conviction, be fined in the sum of one hundred dollars.

§ 5 That it shall be deemed concealed to carry deadly weapons in a scabbard or belt fastened around the person.

§ 6. This act shall be given in charge by the judges to the grand jury, and shall take effect from its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Thurmond and Little, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Bunch),	D. E. Downing,	Wm. J. McElroy,
Wm. F. Barret,	H. G. Duerson,	George R. McKee,

J. F. Baugh,	John Duvall,	Mason Morris,
Rob't C. Beauchamp,	W. W. Frazer,	W. H. Pettus,
D. M. Bowen,	John N. Furber,	Douglass L. Price,
Howell Brewer,	Samuel G. Geisler,	G. W. Quick,
E. Burr,	L. D. Good,	Wm. S. Richart,
Wm. B. Caldwell,	Clinton Griffith,	George W. Riddle,
Landon Carter,	D. Hambleton,	Robert Simmons,
J. S. Chrisman,	Ashton P. Harcourt,	Richard M. Spalding,
James R. Claybrook,	J. B. Hays,	J. L. Waring,
Thomas T. Cogar,	Elijah Hogan,	A. D. Weller,
I. B. Combs,	William Irwin, sr.,	L. Wilson,
R. L. Cooper,	George M. Jessee,	John Wolf,
F. R. Davis,	James Kilgore,	S. M. Wrather,
Asbury Dawson,	Francis M. Lowe,	Hugh H. York—48.

Those who voted in the negative, were—

Ervin Anderson,	John W. Kendall,	G. W. Silvertooth,
N. C. Dille,	G. W. Little,	P. M. Thurmond—6.

Resolved, That the title of said bill be changed so as to read,

An act to prohibit the carrying of concealed deadly weapons.

Mr. Spalding moved to reconsider the vote by which said bill was passed.

Mr. Chrisman moved to lay the motion of Mr. Spalding on the table.

And the question being taken on the motion of Mr. Chrisman, it was decided in the affirmative.

Mr. Cooper moved that a committee be appointed to wait upon the Senate, and ask leave to withdraw therefrom the announcement of the passage by the House of a bill, which originated in the Senate, entitled

An act to amend the charter of the town of Flemingsburg.

And the question being taken thereon, it was decided in the affirmative.

And thereupon the Speaker appointed Messrs. Cooper and Davis a committee to bear said message, who, after a time, returned and reported that they had discharged that duty.

Mr. Burr, from the Committee on Corporate Institutions, who were directed to prepare and bring in the same, reported

A bill for the benefit of Gen. E. Kirby Smith.

Which was read the first time, and ordered to be read a second time.

Said bill was read a second time as follows, viz:

WHEREAS, It has been represented to this General Assembly that the barracks heretofore erected by General E. Kirby Smith, on the

property near Newcastle, was destroyed by fire, by which casualty his flourishing and prosperous military school at that place was wholly broken up, and he compelled to abandon his home, and seek a situation in another State; now, for remedy whereof,

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That it shall be lawful for the said E. Kirby Smith, late of Newcastle, Henry county, to dispose of his houses, lots, and lands, in said county, in shares, and for that purpose may issue and sell, by himself or agents, as many certificates representing fractions of said property, or blanks, as may be deemed proper.

§ 2. That the Hon. W. S. Pryor, Geo. M. Jessee, C. M. Mathews, and Jos. Barbour, be, and they are hereby, appointed commissioners, whose duty it shall be to determine, by lot, to what shareholders any portion or portions of said lands or property shall belong, and to whom the title thereto shall be made, and to do and perform any act that may, in their opinion, be necessary to carry this act into full effect.

§ 3. This act shall take effect from and after its passage.

Mr. McKenzie then moved the following amendment, viz:

Add to 1st section: *Provided*, That Col. L. A. Sypert, of Christian county, shall be allowed to sell his real estate in said county by lottery.

Mr. Price moved to amend the amendment moved by Mr. McKenzie by adding thereto these words:

And also the property of George Lankard, of Fayette county.

Mr. Wolf then moved to lay the bill and amendments on the table.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. E. Anderson and Combs, were as follows, viz:

Those who voted in the affirmative, were—

Silas Adams,	John N. Furber,	Mason Morris,
Ervin Anderson,	Samuel G. Geisler,	Edward Myall,
William F. Barret,	L. D. Good,	W. H. Pettus,
Robert C. Beauchamp,	D. Hambleton,	G. W. Quick,
William B. Caldwell,	Ashton P. Harcourt,	Henry H. Skiles,
R. L. Cooper,	James R. Hindman,	J. L. Waring,
F. R. Davis,	Wm. Irwin, sr.,	A. D. Weller,
D. E. Downing,	William J. McElroy,	John Wolf,
John Duvall,	Geo. R. McKee,	S. M. Wrather—28.
W. W. Frazer,		

Those who voted in the negative, were—

Mr. SPEAKER (Bunch),	Clinton Griffith,	James A. McKenzie,
D. M. Bowen,	Thomas H. Hays,	Joshua B. Parks,
E. Burr,	Elijah Hogan,	Alfred T. Pope,
Landon Carter,	George M. Jessee,	W. V. Prather,
I. B. Combs,	John W. Kendall,	Douglass L. Price,

Asbury Dawson, James Kilgore, George W. Silvertooth,
N. C. Dille, G. W. Little, P. M. Thurmond,
H. G. Duerson, J. J. McAfee, Hugh H. York—25.
James P. Ford,

And so said bill and amendments were laid on the table.

Mr. Griffith, from the Committee on Corporate Institutions, who were directed to prepare and bring in the same, reported

A bill to incorporate the Louisville and Jefferson Bridge Company.

Which was read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be recommitted to a select committee, consisting of Messrs. Barret, Caldwell, Pope, Spalding, and McKenzie.

Bills were reported by the several committees who were directed to prepare and bring in the same, of the following titles, viz:

By Mr. Griffith, from the Committee on Corporate Institutions—

A bill to incorporate the Kentucky River Salt Manufacturing Company, in Perry county.

By same—

A bill to incorporate the town of Calvert City, in Marshall county.

By same—

A bill to incorporate the town of Martinsburg, in the county of Elliott.

By same—

A bill to incorporate the town of Flat Rock, in Bourbon county.

By Mr Burr, from the same committee—

A bill to amend an act, entitled "An act to incorporate the Eagle Petroleum and Mineral Company."

By same—

A bill declaring Grassy creek, in Morgan county, a navigable stream.

By same—

A bill to incorporate the Methodist Episcopal Church, South, Widows' and Orphans' Home.

By same—

A bill to amend the charter of the Board of Education of the Louisville Annual Conference of the Methodist Episcopal Church, South.

By Mr. Griffith, from the same committee—

A bill to amend the charter of the Kentucky Real Estate and Building Company.

By same—

A bill to amend an act, entitled "An act to incorporate the People's Library Company," approved June 3, 1865.

By same—

A bill to incorporate the Constant Friends Lodge, No. 187, I. O. O. F.

By same—

A bill concerning the First Presbyterian Church of Shelbyville, to legalize a division of the property of said church, and to incorporate the divided parties in said church.

By Mr. Burr, from the same committee—

A bill to amend an act, entitled "An act to amend an act to incorporate the Kentucky Mining, Lumber, and Manufacturing Company."

By same—

A bill to charter a steam ferry at the mouth of the Ohio river.

By same—

A bill to incorporate the Germania Benevolent Society, of Louisville.

By Mr. Waring, from the same committee—

A bill to incorporate the Frenchburg and Jeffersonville Turnpike Road Company.

By Mr. Caldwell, from the same committee—

A bill to amend an act, entitled "An act to charter the Louisville Naphthaline Steel Manufacturing Company.

By same—

A bill to incorporate the Louisville Malleable Iron Works.

By same—

A bill to incorporate the Louisville Elevator Company.

By same—

A bill to incorporate the Helvetia Society, of Louisville.

By same—

A bill to incorporate the Teutonia Brother Bund Society, of Louisville.

By Mr. Waring, from the same committee—

A bill to incorporate the town of Frenchburg, in Menifee county.

By same—

A bill to extend the corporate limits of the town of Blandville, in Ballard county.

By same—

A bill to amend the charter of the town of Taylorsville.

By same—

A bill to amend an act, entitled "An act to charter the Cabin Creek, Sand Hill, and Manchester Turnpike Road Company," approved March 14, 1870.

By same—

A bill to incorporate the Mt. Eden and Camdensville Turnpike Road Company.

By same—

A bill to incorporate the West Paris Bridge Company.

By same—

A bill to incorporate Glasgow Cemetery Company.

By Mr. Griffith, from the same committee—

A bill to amend the charter of the Masonic Widows' and Orphans' Home and Infirmary.

By Mr. Waring, from the same committee—

A bill to incorporate the Walnut Street Market-house Company.

By Mr. Caldwell, from the same committee—

A bill to incorporate the Phillips and Jordan Iron Company.

By Mr. Caldwell, from the Committee on Railroads—

A bill to amend the charter of the Elizabethtown and Paducah Railroad Company, approved March 5, 1867.

Which were read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

And then the House adjourned.

WEDNESDAY, MARCH 8, 1871.

Mr. Harcourt presented the petition of citizens of Elk Spring No. 5, of Spencer county, praying the passage of a law to prohibit the sale of spirituous liquors in less quantities than one gallon in said district.

Which was received, the reading dispensed with, and referred to the Committee on County Courts.

Leave was given to bring in the following bills, viz :

On motion of Mr. Claybrook—

1. A bill to establish an additional voting precinct in Washington county.

On motion of same—

2. A bill for the benefit of Washington county.

Ordered, That the Committee on County Courts prepare and bring in said bills.

According to order, the House took up for further consideration a bill, entitled

A bill for the benefit of the Kentucky River Navigation Company and others,

And the amendment proposed thereto.

On motion of Mr. McKee, said bill was recommitted to the Committee on the Sinking Fund.

A message was received from the Senate, asking leave to withdraw from the House the announcement of the passage by the Senate of a bill, which originated in the House of Representatives, entitled

An act to authorize the city of Dayton, in Campbell county, to establish common school system.

Which was granted.

A message was received from the Governor by Mr. Samuels, Assistant Secretary of State, announcing that he had approved and signed enrolled bills, which originated in the House of Representatives, of the following titles, viz :

An act authorizing and empowering county courts to purchase from Commissioners of the Sinking Fund stock in turnpike roads belonging to the State of Kentucky.

An act to fix the time of holding the common pleas court in McCracken and Ballard counties, and regulating its jurisdiction in certain cases.

An act authorizing and directing the sale of the interest and stock owned by the State of Kentucky in turnpike roads or turnpike road companies.

An act defining the jurisdiction of the marshal of the town of Ceralvo, in the county of Ohio.

An act to amend section 367 of the Civil Code of Practice.

An act in relation to official sales in Boyle and Lincoln counties.

An act defining the boundary line between the counties of Cumberland and Adair.

An act to amend sections 714, 721, and 722, Civil Code of Practice.

An act to amend the charter of the Old State Road and Ripple Creek Turnpike Company.

An act to authorize the city of Newport, in Campbell county, to purchase certain real estate.

Mr. Quick, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the Senate, of the following titles, viz :

An act to amend the charter of the Eminence and Mulberry Turnpike Road Company;

An act to amend the charter of the town of Harrodsburg;

An act to amend the charter of the Oakland Plank Road Company, of Jefferson county;

An act to amend an act, entitled "An act to repeal section 3 of the charter of Catlettsburg;"

An act to amend the charter of the city of Hickman;

An act to amend the charter of the city of Augusta;

An act to amend the charter of the Louisville and Jefferson County Association;

An act to amend the charter of the town of Catlettsburg;

An act to amend the second and third sections of an act, entitled An act to establish the 16th judicial district," approved February 18, 1868, and to regulate the time of holding circuit courts therein;

An act to incorporate the town of Milledgeville, in Lincoln county;

An act to incorporate the Woodford Railroad Company;

An act to amend the charter of the town of Wyoming;

An act to amend the charter of the town of Bethel;

An act to amend an act, entitled "An act incorporating the town of Hustonville, and the several acts amendatory thereof;"

And also enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to amend section 2, article 1, of chapter 48, of the Revised Statutes, title "Idiots and Lunatics;"

An act to amend section 21, chapter 84, entitled "Roads and Passways," Revised Statutes;

An act to amend section 6, of article 3, chapter 26, Revised Statutes, title "County Levy;"

An act in relation to the sale of spirituous liquors in Morgan county;

An act to amend title 10, chapter 467, of the Civil Code of Practice;

An act to prohibit the sale of spirituous, vinous, or malt liquors in magistrates' district No. 2, in the county of Franklin;

An act to protect owners of land in Carroll, Hardin, and Gallatin counties from trespasses;

An act for the benefit of Clark and Montgomery counties;

An act to repeal an act, entitled "An act for the benefit of the citizens of Williamsburg, in Whitley county;"

An act for the benefit of Slate Union or Salt Well Church, in Bath county;

An act to prohibit the sale of intoxicating liquors at the Falls of Rough, in Grayson county, or within five miles thereof;

An act to prohibit the sale of spirituous, vinous, or malt liquors in the town of Saloma, in Taylor county;

An act to prohibit the selling, giving, or loaning intoxicating liquors in the village of Aaron's Run, or within a radius of two miles from the centre thereof;

An act for the benefit of the town of Hodgenville, in Larue county;

An act to change the time of holding the February term of the Marion circuit court;

An act to incorporate the town of Casey's Mines, in Union county;

An act to amend the charter of Cave City, in Barren county;

An act for the benefit of Greenville Hill Cemetery, in Woodford county;

An act to authorize the citizens of Knox county to vote a tax for the purpose of constructing public buildings;

An act for the benefit of the Presbyterian Church in the town of Winchester;

An act to amend an act incorporating the Northeastern Kentucky Agricultural Association, approved February 22, 1860, and to legalize the election of officers heretofore, and their acts as such;

An act to prohibit the sale of intoxicating liquors in district No. 9, in Meade county;

An act to extend the time to the Hart county court in which to build fire-proof vaults;

An act changing the time of holding the Montgomery quarterly courts;

An act to incorporate the Tradewater Coal and Transportation Company;

An act for the benefit of Lincoln county;

An act to authorize the Fulton county court to levy and collect a tax to build a new jail, and to purchase ground for the same;

And had found the same truly enrolled.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Quick inform the Senate thereof.

A message was received from the Senate, announcing that they had concurred in the amendments proposed by the House to bills, which originated in the Senate, of the following titles, viz:

1. An act to incorporate the Southern Kentucky Railroad Company.

2. An act to amend the 2d and 3d sections of an act, entitled "An act to establish the 16th judicial district," approved February 18, 1866, and to regulate the time for holding circuit courts therein.

The titles thereof were changed accordingly.

Mr. Cooper, from the joint committee appointed to wait on the Senate, and request to withdraw therefrom the announcement of the passage of a bill from the Senate, entitled

An act to amend the charter of the town of Flemingsburg,

Laid said bill on the Clerk's table.

And thereupon, Mr. Cooper moved to reconsider the vote by which said bill was passed.

And the question being taken thereon, it was decided in the affirmative.

And so said vote was reconsidered.

Mr. Cooper also moved to reconsider the vote by which said bill was ordered to be read a third time.

And the question being taken thereon, it was decided in the affirmative.

And so said vote was reconsidered.

On motion of Mr. Cooper, said bill was recommitted to the Committee on Corporate Institutions.

A message was received from the Senate, announcing that they had passed bills, which originated in the House of Representatives, of the following titles, viz:

An act to revise, digest, and compile the statute laws and Codes of Practice of Kentucky.

An act providing for the completion of the fire-proof offices in the city of Frankfort.

And that they had passed a bill, entitled

An act to amend an act, entitled "An act to amend the charter of the town of Danville," approved February 17, 1871.

Which was read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be referred to the Committee on Circuit Courts.

On motion of Mr. Ford,

Ordered, That a message be sent to the Senate, requesting to withdraw therefrom the announcement of the passage by this House of a bill, which originated in the Senate, entitled

An act to amend the charter of the town of Midway, in Woodford county.

And also to request the appointment of a committee, on the part of the Senate, to act in conjunction with a committee on the part of the House, to wait upon the Governor and to request him to return to the House, unsigned, the said bill.

And on his further motion, Messrs. Ford and Silvertooth were appointed a committee on the part of the House to bear said message to the Senate, and also to wait on the Governor for the purpose aforesaid.

A message was received from the Senate, requesting the appointment of a committee on the part of the House, to act in conjunction with a committee appointed by the Senate, to wait upon the Gov-

ernor and request him to return to the Senate, unsigned, a bill, which originated therein, entitled

An act to incorporate the Woodford Railroad Company.

Mr. McKee then moved that the House do appoint a committee for the purpose aforesaid.

And the question being taken on the motion of Mr. McKee, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Ford and Anderson, were as follows, viz:

Those who voted in the affirmative, were—

Wm. F. Barret,	F. R. Davis,	Francis M. Lowe,
Rob't C. Beauchamp,	D. E. Downing,	William J. McElroy,
Howell Brewer,	W. W. Frazer,	George R. McKee,
William B. Caldwell,	Jas. R. Hindman,	Robert Simmons,
R. L. Cooper,	William Irwin, sr.,	John F. Wight—15.

Those who voted in the negative, were—

Mr. SPEAKER (Bunch),	J. B. Hays,	G. W. Quick,
Ervin Anderson,	T. H. Hays,	William S. Richart,
J. M. Atherton,	Elijah Hogan,	George W. Riddle,
J. F. Baugh,	Elijah Hurst,	G. W. Silvertooth,
E. Burr,	George M. Jessee,	R. M. Spalding,
J. S. Chrisman,	Alfred M. Jones,	Geo. W. Terrell,
James R. Claybrook,	James Kilgore,	P. M. Thurmond,
Thomas T. Cogar,	G. W. Little,	J. L. Waring,
Asbury Dawson,	James A. McKenzie,	A. D. Weller,
John Duvall,	Thomas H. Moss,	L. Wilson,
W. W. Ferguson,	Edward Myall,	John Wolf,
James P. Ford,	W. H. Pettus,	S. M. Wrather,
Clinton Griffith,	Alfred T. Pope,	Hugh H. York—41.
D. Hambleton,	Douglass L. Price,	

And so the House refused to appoint said committee.

Mr. Price, from the committee to whom was recommitted a bill, entitled

An act to take the sense of the people of this Commonwealth in regard to a conventional rate of interest,

With the substitute, by way of amendment, proposed by the Senate,

Reported the same, with the expression of opinion that the amendment proposed by the Senate should be adopted.

Mr. Furber then moved to amend the amendment proposed by the Senate as follows, viz:

Strike out from section 6 the words "rate of interest," and insert in lieu thereof the words "amount including exchange."

The question was then taken on the amendment proposed by Mr. Furber, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Furber and Bowen, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Bunch),	W. W. Frazer,	Alfred T. Pope,
J. M. Atherton,	John N. Furber,	W. V. Prather,
Robt. C. Beauchamp,	Samuel G. Geisler,	Douglass L. Price,
D. M. Bowen,	Robert T. Glass,	G. W. Quick,
Jesse D. Bright,	L. D. Good,	Wm. S. Richart,
E. Burr,	Clinton Griffith,	George W. Silvertooth,
Landon Carter,	D. Hambleton,	Robert Simmons,
James R. Claybrook,	James R. Hindman,	R. M. Spalding,
Thomas T. Cogar,	Elijah Hogan,	Geo. W. Terrell,
I. B. Combs,	George M. Jessee,	P. M. Thurmond,
R. L. Cooper,	Francis M. Lowe,	J. L. Waring,
F. R. Davis,	James A. McKenzie,	A. D. Weller,
Asbury Dawson,	Thomas H. Moss,	John F. Wight,
George R. Diamond,	Edward Myall,	L. Wilson,
N. C. Dille,	Joshua B. Parks,	John Wolf,
H. G. Duerson,	E. A. Pearson,	S. M. Wrather—50.
James P. Ford,	W. H. Pettus,	

Those who voted in the negative, were—

Silas Adams,	J. S. Chrisman,	John W. Kendall,
George W. Anderson,	D. E. Downing,	James Kilgore,
Ervin Anderson,	John Duvall,	Wm. J. McElroy,
Wm. F. Barret,	Ben. Hardin,	George R. McKee,
J. F. Baugh,	J. B. Hays,	George W. Riddle,
Howell Brewer,	T. H. Hays,	Hugh H. York—20.
William B. Caldwell,	Wm. Irwin, sr.,	

And so said amendment was adopted.

Mr. Spalding then moved an amendment to the amendment proposed by the Senate.

On motion of Mr. Pope, the further consideration of said bill and amendments was postponed to, and made the special order of the day for, to-morrow, at 10 o'clock, A. M.

Mr. Glass, from a select committee, to whom was recommitted a bill, entitled

A bill for the benefit of Haly & Brawner,

Reported the same without amendment.

Ordered, That said bill be engrossed and read a third time.

Said bill being engrossed, was read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the Auditor of the State of Kentucky is hereby directed to draw his warrant upon the Treasurer, in favor of Haly & Brawner,

for four thousand nine hundred and ninety-four dollars, it being the balance due them for work done by them on the hemp-house in the Kentucky State Penitentiary, as per contract with the Commissioners of the Sinking Fund.

§ 2. This act shall take effect from and after its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon, in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Bunch),	M. W. Ferguson,	William J. McElroy,
Silas Adams,	James P. Ford,	George R. McKee,
Ervin Anderson,	W. W. Frazer,	James A. McKenzie,
J. M. Atherton,	John N. Furber,	Thomas H. Moss,
Wm. F. Barret,	Samuel G. Geisler,	Edward Myall,
Robert C. Beauchamp,	Robert T. Glass,	Joshua B. Parks,
D. M. Bowen,	L. D. Good,	E. A. Pearson,
Howell Brewer,	D. Hambleton,	W. H. Pettus,
Jesse D. Bright,	Ashton P. Harcourt,	Alfred T. Pope,
E. Burr,	J. B. Hays,	W. V. Prather,
Landon Carter,	T. H. Hays,	Douglass L. Price,
James R. Claybrook,	Jas. R. Hindman,	G. W. Quick,
Thomas T. Cogar,	Elijah Hogan,	William S. Richart,
I. B. Combs,	Elijah Hurst,	George W. Riddle,
R. L. Cooper,	Wm. Irwin, sr.,	G. W. Silvertooth,
F. R. Davis,	George M. Jessee,	Robert Simmons,
Asbury Dawson,	Alfred M. Jones,	Henry H. Skiles,
George R. Diamond,	John W. Kendall,	Richard M. Spalding,
N. C. Dille,	James Kilgore,	P. M. Thurmond,
D. E. Downing,	Francis M. Lowe,	J. L. Waring,
H. G. Duerson,	G. W. Little,	John Wolf,
John Duvall,	J. J. McAfee,	S. M. Wrather—66.

Those who voted in the negative, were—

J. S. Chrisman,	A. D. Weller,	L. Wilson—4.
Mason Morris,		

Resolved, That the title of said bill be as aforesaid.

Bills from the Senate were reported, without amendment, by the committees to whom they had been referred, of the following titles, viz:

By Mr. McKenzie, from the Committee on Railroads—

An act to amend the charter of the Paducah and Gulf Railroad Company.

By Mr. Griffith, from the Committee on Corporate Institutions—

An act to amend the charter of the town of Mayfield.

By Mr. Pope, from the Committee on Insurance—

An act to amend an act, entitled "An act to provide for the incorporation and regulation of fire, marine, health, accident, live stock, and all other, except life insurance companies," approved March 12, 1870.

With an amendment to each of said bills.

Said amendments were severally adopted.

Ordered, That said bills, as amended, be read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. E. Anderson, from the Committee on Ways and Means, to whom was referred a bill from the Senate, entitled

An act for the benefit of Thomas Cook, James Root, John E. White, and Howell Brewer,

Reported the same without amendment.

Ordered, That said bill be read a third time.

Said bill was then read a third time as follows, viz:

WHEREAS, On the — day of ————, 18 , there was a judgment rendered by the Franklin circuit court against Thomas Cook, sheriff of Clay county, for the revenue due from Clay county for the year 1867, with interest and damages, which damages amounted to the sum of three hundred and thirty-eight dollars and ninety-nine cents; and whereas, said judgment, with its interest, cost, and damages, has all been satisfied by cash and sale of lands, the principal part of which has been paid by the sureties of said Cook; therefore,

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That upon the payment in full into the Treasury of the principal, interest, and cost of said judgment, the damages on said judgment are hereby remitted; and if the same, or any part thereof, have been paid, the Auditor will draw his warrant upon the Treasurer in favor of James Root, John E. White, Howell Brewer, Haywood Gilbert, and William Shelton, for the amount of damages paid by them respectively.

§ 2. This act to take effect from its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon, in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Bunch),	M. W. Ferguson,	James A. McKenzie,
George W. Anderson,	W. W. Frazer,	Thomas H. Moss,
Ervin Anderson,	John N. Furber,	W. H. Pettus,

J. M. Atherton,	Clinton Griffith,	Alfred T. Pope,
Wm. F. Barret,	D. Hambleton,	Douglass L. Price,
J. F. Baugh,	Ashton P. Harcourt,	G. W. Quick,
Rob't C. Beauchamp,	Ben. Hardin,	William S. Richart,
D. M. Bowen,	J. B. Hays,	George W. Riddle,
E. Burr,	Thomas H. Hays,	Geo. W. Silvertooth,
William B. Caldwell,	James R. Hindman,	Robert Simmons,
J. S. Chrisman,	Elijah Hogan,	Henry H. Skiles,
James R. Claybrook,	Elijah Hurst,	R. M. Spalding,
Thomas T. Cogar,	William Irwin, sr.,	George W. Terrell,
I. B. Combs,	George M. Jessee,	P. M. Thurmond,
R. L. Cooper,	Alfred M. Jones,	J. L. Waring,
F. R. Davis,	John W. Kendall,	A. D. Weller,
Asbury Dawson,	James Kilgore,	John F. Wight,
George R. Diamond,	Francis M. Lowe,	L. Wilson,
D. E. Downing,	G. W. Little,	John Wolf,
H. G. Duerson,	Wm. J. McElroy,	S. M. Wrather
John Duvall,	George R. McKee,	Hugh H. York—64.

In the negative—none.

Resolved, That the title of said bill be as aforesaid.

The House took up from the orders of the day a bill, entitled

A bill to appropriate certain moneys due by the county of Wayne to the Public Treasury, in aid of the construction of a certain turnpike road.

Ordered, That said bill be engrossed and read a third time.

Said bill being engrossed, was then read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the person or officer appointed, or to be appointed, by the Auditor of Public Accounts, to collect and receive the unpaid dues from the county of Wayne, for revenue and unpaid taxes, for the years 1862, 1863, and 1864, and which was reserved to be paid into the Treasury by the act approved February 17th, 1868, entitled "An act for the benefit of the county of Wayne," be, and he is hereby, required to pay over such sums as he may collect, and when collected, as the board of directors of the Monticello and Cumberland River Turnpike Company may direct.

§ 2. That the money thus paid over to said company shall be applied and appropriated, less the fees and commissions which may be allowed to the collector for his services in collecting same, in aid of the construction of the turnpike road aforesaid.

§ 3. The amount of money paid under this act to the order of the board of directors, as aforesaid, shall be deemed and held as so much subscribed by the State to the capital stock of said company, and to the extent of the sum so paid in the State shall be deemed a stockholder, and shall have the right to vote in the organization, management, and control of said road to the extent that individual subscribers may do, and to the extent of the capital stock so paid in.

§ 4. The Auditor of Public Accounts may, by himself or such person as he may appoint, represent the State in all matters pertaining to the organization, construction, and management of said road, and in the disposition of the funds and means thereof.

§ 5. This act shall take effect from its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Glass and Frazer, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Bunch),	M. W. Ferguson,	Thomas H. Moss,
Silas Adams,	James P. Ford,	W. H. Pettus,
J. M. Atherton,	Clinton Griffith,	Alfred T. Pope,
Wm. F. Barret,	D. Hambleton,	Douglass L. Price,
J. F. Baugh,	J. B. Hays,	Wm. S. Richart,
D. M. Bowen,	Thomas H. Hays,	George W. Riddle,
E. Burr,	James R. Hindman,	George W. Silvertooth,
William B. Caldwell,	Elijah Hogan,	Robert Simmons,
J. S. Chrisman,	William Irwin, sr.,	Richard M. Spalding,
James R. Claybrook,	George M. Jessee,	George W. Terrell,
Thos. T. Cogar,	Alfred M. Jones,	P. M. Thurmond,
I. B. Combs,	John W. Kendall,	J. L. Waring,
R. L. Cooper,	Francis M. Lowe,	A. D. Weller,
F. R. Davis,	G. W. Little,	L. Wilson,
D. E. Downing,	George R. McKee,	S. M. Wrather,
H. G. Duerson,	James A. McKenzie,	Hugh H. York—49.
John Duvall,		

Those who voted in the negative, were—

R. C. Beauchamp,	James Kilgore,	Edward Myall,
Asbury Dawson,	William J. McElroy,	G. W. Quick,
W. W. Frazer,	Mason Morris,	John Wolf—10.
Robert T. Glass,		

Resolved, That the title of said bill be as aforesaid.

Mr. McKenzie moved to reconsider the vote by which said bill was passed.

Mr. Spalding moved to lay the motion of Mr. McKenzie on the table.

And the question being taken on the motion of Mr. Spalding, it was decided in the affirmative.

Mr. Cogar, from the Committee on Internal Improvement, who were directed to prepare and bring in the same, reported

A bill to amend an act, approved March 15, 1869, abolishing the Board of Internal Improvement.

Which was read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Mr. Atherton moved an amendment to said bill, which was adopted.

Ordered, That said bill, as amended, be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Bills from the Senate were reported, without amendment, by the committees to whom they had been referred, of the following titles, viz:

By Mr. Griffith, from the Committee on Corporate Institutions--

An act to amend the charter of the Masonic Temple Company, of Louisville.

By same—

An act to amend an act, entitled "An act to amend and reduce into one the several acts relating to the town of Morganfield."

By Mr. Atherton, from the Committee on Privileges and Elections—

An act to attach the counties of Elliott and Lee to the 34th Senatorial District.

By Mr. Cogar, from the Committee on Internal Improvement—

An act to amend the charter of the Liberty and Middleburg Turnpike Road Company.

By same—

An act to amend an act, entitled "An act to incorporate the Harrodsburg, Duncansville, and Chaplaintown Turnpike Road Company."

By same—

An act to amend an act, approved March 15, 1869, entitled "An act to authorize the sale and conveyance of certain lands and personalty belonging to the State on Licking river."

Ordered, That said bills be read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Bills were reported by the several committees, who were directed to prepare and bring in the same, of the following titles, viz:

By Mr. Glass, from the Committee on Banks—

A bill to amend the charter of the Deposit Bank of Frankfort.

By Mr. Little, from a select committee—

A bill to amend an act, entitled "An act to prohibit the destruction of fish in Cumberland river above the falls."

By Mr. Cogar, from the Committee on Internal Improvement—

A bill to amend the charter of the Pleasant Hill and Jessamine County Turnpike Road Company.

By same—

A bill to incorporate the New Haven and Howard's Mill Turnpike Road Company.

By same—

A bill to incorporate the Athens and Walnut Hill Turnpike Company.

By same—

A bill to amend an act, entitled "An act to incorporate the Farmers' Turnpike Road Company," approved March 3, 1851.

By same—

A bill to incorporate the Greenup and Boyd County Turnpike Road Company.

By same—

A bill to incorporate the Newcastle and Sulphur Turnpike Road Company.

By same—

A bill to amend an act, entitled "An act to incorporate the Spring Station Turnpike Road Company."

By same—

A bill to incorporate the Sligo and Pendleton Station Turnpike Company.

By same—

A bill for the benefit of the Paris and Winchester Turnpike Road Company.

By Mr. Wrather, from the same committee—

A bill for the benefit of toll-gate keeper in Josh Bell county.

By Mr. Weller, from the same committee—

A bill for the benefit of the Kentucky River Turnpike Road Company.

Which were read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

And then the House adjourned.

THURSDAY, MARCH 9, 1871.

Mr. Price presented the petition of colored persons of Fayette county, praying the passage of a law to authorize the school trustees of said county to erect or cause to be erected a sufficient number of cheap school-houses in those districts in said county where the number of colored children would warrant their erection therein.

Which was received, the reading dispensed with, and referred to the Committee on Education.

The House then took up the amendment proposed by the Senate to a bill, which originated in the House of Representatives, entitled

An act to amend an act, entitled "An act to incorporate the Shelbyville Cemetery Company," approved March 1st, 1854.

Said amendment was concurred in.

The House also took up the amendment proposed by the Senate to a bill, which originated in the House of Representatives, entitled

An act to amend the charter of the town of Cloverport.

Said amendment was concurred in, and the title of said bill changed so as to read,

An act to amend an act, entitled "An act to amend an act, entitled 'An act to incorporate the town of Cloverport and Lower Cloverport into the town of Cloverport,'" approved March 5th, 1868.

Mr. Combs, from the Committee on Propositions and Grievances, who were directed to prepare and bring in the same, reported

A bill to establish the county of Combs,

Without expression of opinion thereon by the committee.

Which was read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That the further consideration of said bill be postponed to, and made the special order for, to-morrow, at 11 o'clock, A. M.

Mr. Wrather, from the Committee on Internal Improvement, who were directed to prepare and bring in the same, reported

A bill to legalize the construction of certain bridges in Pendleton county.

Which was read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

On motion of Mr. Kendall, said bill was recommitted to the Committee on Internal Improvement.

A message was received from the Governor by Mr. Samuels, Assistant Secretary of State, announcing that he had approved and signed enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to amend chapter 84, title "Roads and Passways," Revised Statutes.

An act to authorize the Fulton county court to levy and collect a tax to build a new jail, and to purchase ground for the same.

An act to extend the time to the Hart county court in which to build fire-proof vaults.

An act to amend an act incorporating the Northeastern Kentucky Agricultural Association, approved February 22, 1860, and to legalize the election of officers heretofore, and their acts as such.

An act for the benefit of Lincoln county.

An act to incorporate the Tradewater Coal and Transportation Company.

An act to amend section 21, chapter 84, entitled "Roads and Passways," Revised Statutes.

An act for the benefit of the Presbyterian Church in the town of Winchester.

An act for the benefit of Greenville Hill Cemetery, in Woodford county.

An act to amend title 10, chapter 4, section 467, of the Civil Code of Practice.

An act to authorize the citizens of Knox county to vote a tax for the purpose of constructing public buildings.

An act to change the time of holding the February term of the Marion circuit court.

An act to prohibit the sale of spirituous, vinous, or malt liquors in the town of Saloma, in Taylor county.

An act for the benefit of the town of Hodgenville, in Larue county.

An act to prohibit the sale of spirituous, vinous, or malt liquors in magistrates' district No. 2, in the county of Franklin.

An act to repeal an act, entitled "An act for the benefit of the citizens of Williamsburg, in Whitley county."

An act to prohibit the selling, giving, or loaning intoxicating liquors in the village of Aaron's Run, or within a radius of two miles from the centre thereof.

An act in relation to the sale of spirituous liquors in Morgan county.

An act to amend section 2, article 1, of chapter 84, of the Revised Statutes, title "Idiots and Lunatics."

An act to amend the charter of Cave City, in Barren county.

An act for the benefit of Clark and Montgomery counties.

An act for the benefit of Slate Union or Salt Well Church, in Bath county.

An act to amend section 6, of article 3, chapter 26, Revised Statutes, title "County Levy."

An act to prohibit the sale of intoxicating liquors at the Falls of Rough, in Grayson county, or within five miles thereof.

Bills from the Senate were reported, without amendment, by the committees to whom they had been referred, of the following titles, viz:

By Mr. Wrather, from the Committee on Internal Improvement—

An act to amend the charter of the Smithfield and Ballardsville Turnpike Road Company.

By same—

An act to amend the charter of the Danville and Pleasant Hill Turnpike Road Company.

By same—

An act to repeal an act declaring the Bayou DeChein a navigable stream.

By same—

An act authorizing certain voters of Nelson county to vote a tax to aid in the construction of the Chaplain and Anderson Turnpike Road and the Ash Creek Turnpike Road.

Ordered, That said bills be read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Quick, from the Committee on Enrollments, reported that the committee had examined enrolled bills and a resolution, which originated in the Senate, of the following titles, viz:

An act to incorporate the town of Glasgow Junction and Mammoth Cave;

An act to create and regulate the office of county treasurer for McCracken county;

An act to incorporate the town of Sanders, in Gallatin county;

An act to incorporate the South Kentucky Railroad Company;

An act to incorporate the Kentucky Statesman Printing Company;

An act to amend an act, entitled "An act to amend and reduce into one all acts in relation to the incorporation of the town of Morgantown;"

Resolution in relation to claims against United States Government for tolls on Green and Barren river;

And also enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act providing for the completion of the fire-proof offices in the city of Frankfort;

An act to amend the charter of the city of Dayton;

An act to amend the charter of the city of Henderson;

An act directing the purchase of Collins' Historical Sketches of Kentucky;

And had found the same truly enrolled.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Quick inform the Senate thereof.

A message was received from the Senate, announcing that they had received official information that the Governor had approved and signed enrolled bills, which originated in the Senate, of the following titles, viz:

An act to amend the charter of the city of Ludlow.

An act for the benefit of Emma Wade, widow of Wm. M. Wade, deceased.

An act for the benefit of John C. Gardner, late clerk of the Fulton circuit court.

An act to amend an act, entitled "An act to tax incomes on United States bonds," approved March 8, 1867.

An act changing the time of holding the Warren court of common pleas.

An act for the benefit of A. C. Thomas, late sheriff of Nelson county, and his sureties.

An act to amend an act, entitled "An act to amend an act, entitled 'An act incorporating the town of Hustonville.'"

An act to procure the collection of the revenue and county levy of Clay county for the year 1870.

An act to incorporate and endow Graves County Female Seminary.

That they had concurred in a resolution adopted by the House of Representatives, entitled

Resolution to purchase Cain's portrait of Chief Justice Robertson.

That they had passed bills, which originated in the House of Representatives, of the following titles, viz:

An act to amend an act, entitled "An act to revise, amend, and reduce into one the laws relating to the common schools of Kentucky."

An act for the benefit of Granville Evans, of Wolfe county.

An act for the better organization of public schools in the city of Lexington.

An act authorizing the trustees of school district No. 2, in Hickman county, to levy and collect a tax for school purposes.

An act to establish a public school for colored children in the city of Henderson.

An act directing the purchase of Collins' Historical Sketches of Kentucky.

An act to establish a graded school at St. James, late Shelby College, in Kentucky.

An act for the benefit of Barren county.

An act to amend an act, entitled "An act to amend an act to incorporate the Kentucky Mining, Lumber, and Manufacturing Company."

An act to organize and establish a system of public schools in the city of Owensboro, for white children in said city.

An act to authorize the city of Dayton, in Campbell county, to establish a common school system.

With an amendment to the last named bill.

And that they had passed bills of the following titles, viz:

1. An act authorizing the county court judge of Madison county to grant a license to Richard H. Lamb to retail ardent spirits.

2. An act to amend the charter of the town of Irvine.

3. An act for the benefit of Murray common school district, in Calloway county.

4. An act for the benefit of school district No. 9, in the county of Hancock.

Which were read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That they be referred—the 1st to the Committee on County Courts; the 2d to the Committee on Corporate Institutions; and the 3d and 4th to the Committee on Education.

A message was received from the Senate, announcing that they had concurred in the amendment proposed by the House to a bill, which originated in the Senate, entitled

An act to amend the charter of the Paducah and Gulf Railroad Company.

Mr. Quick, from the Committee on Enrollments, reported that the committee had examined an enrolled bill, which originated in the Senate, entitled

An act to amend the charter of the Paducah and Gulf Railroad Company;

And also an enrolled resolution and bill, which originated in the House of Representatives, of the following titles, viz:

Resolution to purchase Cain's portrait of Chief Justice Robertson;

An act directing the purchase of Collins' Historical Sketches of Kentucky;

And had found the same truly enrolled.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Quick inform the Senate thereof.

Mr. Carter moved to reconsider the vote by which the House laid on the table a bill, entitled

A bill for the benefit of Gen. E. Kirby Smith.

And the question being taken on said motion, it was decided in the affirmative.

And so said vote was reconsidered.

The question was then again taken on the motion to lay said bill and proposed amendments on the table, and it was decided in the negative.

The amendments moved by Messrs. Price and McKenzie, by leave of the House, were then withdrawn.

Ordered, That said bill be engrossed and read a third time.

Said bill being engrossed, was read a third time as follows, viz:

WHEREAS, It has been represented to this General Assembly that the barracks heretofore erected by General E. Kirby Smith, on the property near Newcastle, was destroyed by fire, by which casualty his flourishing and prosperous military school at that place was wholly broken up, and he compelled to abandon his home, and seek a situation in another State; now, for remedy whereof,

§ 1. *Be it enacted by the General Assembly of the Common wealth of Kentucky*, That it shall be lawful for the said E. Kirby Smith, late of Newcastle, Henry county, to dispose of his houses, lots, and lands, in said county, in shares, and for that purpose may issue and sell, by himself or agents, as many certificates representing fractions of said property, or blanks, as may be deemed proper.

§ 2. That the Hon. W. S. Pryor, Geo. M. Jessee, C. M. Mathews, and Jos. Barbour, be, and they are hereby, appointed commissioners, whose duty it shall be to determine, by lot, to what shareholders any portion or portions of said lands or property shall belong, and to whom the title thereto shall be made, and to do and perform any act that may, in their opinion, be necessary to carry this act into full effect.

§ 3. This act shall take effect from and after its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Richart and Cooper, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Bunch),	H. G. Duerson,	Thomas H. Moss,
J. M. Atherton,	John Duvall,	Joshua B. Parks,
D. M. Bowen,	M. W. Ferguson,	E. A. Pearson,
Orlando C. Bowles,	James P. Ford,	Alfred T. Pope,
Samuel W. Brents,	D. Hambleton,	W. V. Prather,
Howell Brewer,	J. B. Hays,	Douglass L. Price,
E. Burr,	T. H. Hays,	G. W. Quick,
Landon Carter,	Elijah Hogan,	George W. Riddle,
J. S. Chrisman,	George M. Jessee,	G. W. Silvertooth,
Thomas T. Cogar,	Alfred M. Jones,	R. M. Spalding,
I. B. Combs,	John W. Kendall,	George W. Terrell,

George R. Diamond,	James Kilgore,	L. Wilson,
N. C. Dille,	G. W. Little,	Hugh H. York—39.

Those who voted in the negative, were—

George W. Anderson,	W. W. Frazer,	Edward Myall,
Ervin Anderson,	John N. Furber,	William S. Richart,
Wm. F. Barret,	L. D. Good,	Robert Simmons,
Robert C. Beauchamp,	Ben. Hardin,	Henry H. Skiles,
William B. Caldwell,	James R. Hindman,	P. M. Thurmond,
R. L. Cooper,	William Irwin, sr.,	J. L. Waring,
F. R. Davis,	William J. McElroy,	A. D. Weller,
Asbury Dawson,	George R. McKee,	John F. Wight,
D. E. Downing,	Mason Morris,	John Wolf—27.

Resolved, That the title of said bill be as aforesaid.

The House, according to order, resumed the consideration of the amendments proposed by the Senate to a bill, which originated in the House of Representatives, entitled

An act to take the sense of the people of this Commonwealth in regard to a conventional rate of interest,

And the amendment proposed thereto by Mr. Spalding.

The amendment of Mr. Spalding reads as follows, viz :

Strike out from 8th section of Senate amendment the words "September 1st, 1871," and insert in lieu thereof "January 1st, 1872."

The question was then taken on the adoption of said amendment, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. E. Anderson and Spalding, were as follows, viz :

Those who voted in the affirmative, were—

Silas Adams,	John Duvall,	W. H. Pettus,
Ervin Anderson,	John N. Furber,	G. W. Quick,
D. M. Bowen,	L. D. Good,	Richard M. Spalding,
E. Burr,	D. Hambleton,	P. M. Thurmond,
Landon Carter,	Ben. Hardin,	J. L. Waring,
J. S. Chrisman,	James R. Hindman,	A. D. Weller,
I. B. Combs,	Elijah Hogan,	L. Wilson,
R. L. Cooper,	John W. Kendall,	John Wolf,
F. R. Davis,	William J. McElroy,	S. M. Wrather,
Asbury Dawson,	Thomas H. Moss,	Hugh H. York—31.
D. E. Downing,		

Those who voted in the negative, were—

Mr. SPEAKER (Bunch),	H. G. Duerson,	Joshua B. Parks,
Geo. W. Anderson,	James P. Ford,	E. A. Pearson,
J. M. Atherton,	W. W. Frazer,	Alfred T. Pope,
W. F. Barret,	R. T. Glass,	W. V. Prather,
J. F. Baugh,	J. B. Hays,	Douglass L. Price,
R. C. Beauchamp,	T. H. Hays,	William S. Richart,
Orlando C. Bowles,	William Irwin, sr.,	George W. Riddle,

Samuel W. Brents,	James Kilgore,	Geo. W. Silvertooth,
Wm. B. Caldwell,	Francis M. Lowe,	Robert Simmons,
Thomas T. Cogar,	J. J. McAfee,	Henry H. Skiles,
George R. Diamond,	George R. McKee,	Geo. W. Terrell,
N. C. Dille,	Edward Myall,	John F. Wight—36.

And so said amendment was rejected.

Mr. Cooper then moved the following amendment to the amendment of the Senate, viz:

Add to 3d section of said amendment these words: "*Provided*, That so much of said forfeited interest as shall not exceed the amount authorized to be charged by this act, shall be recovered in any suit pending upon such obligation in the name of the commissioner of common schools of said county, and for this purpose he may be made party to such suit. If no suit is pending, the commissioner shall bring suit to recover the same in any court of competent jurisdiction, for the use of common schools in said county."

The question being taken on the adoption of said amendment, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Cooper and Davis, were as follows, viz:

Those who voted in the affirmative, were—

Silas Adams,	L. D. Good,	G. W. Quick,
Robert C. Beauchamp,	D. Hambleton,	P. M. Thurmond,
E. Burr,	Ben. Hardin,	A. D. Weller,
J. S. Chrisman,	James R. Hindman,	L. Wilson,
R. L. Cooper,	Elijah Hogan,	John Wolf,
F. R. Davis,	John W. Kendall,	S. M. Wrather,
John Duvall,	Thomas H. Moss,	Hugh H. York—23.
John N. Furber,	W. H. Pettus,	

Those who voted in the negative, were—

George W. Anderson,	H. G. Duerson,	Edward Myall,
J. M. Atherton,	James P. Ford,	Joshua B. Parks,
William F. Barret,	W. W. Frazer,	E. A. Pearson,
J. F. Baugh,	Robert T. Glass,	Alfred T. Pope,
D. M. Bowen,	J. B. Hays,	Douglass L. Price,
Orlando C. Bowles,	Thomas H. Hays,	Wm. S. Richart,
Samuel W. Brents,	Wm. Irwin, sr.,	George W. Riddle,
William B. Caldwell,	George M. Jessee,	George W. Silvertooth,
Thomas T. Cogar,	James Kilgore,	Robert Simmons,
Asbury Dawson,	Francis M. Lowe,	Henry H. Skiles,
George R. Diamond,	J. J. McAfee,	George W. Terrell,
N. C. Dille,	William J. McElroy,	J. L. Waring,
D. E. Downing,	Geo. R. McKee,	John F. Wight—39.

And so said amendment was rejected.

Mr. Wolf then moved the following amendment to the Senate amendment, viz:

Strike out the word "ten," wherever it occurs in Senate amendment, and insert in lieu thereof the word "eight."

And the question being taken on said amendment, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Wolf and Chrisman, were as follows, viz:

Those who voted in the affirmative, were—

Silas Adams,	John Duvall,	W. H. Pettus,
Ervin Anderson,	L. D. Good,	Richard M. Spalding,
Rob't C. Beauchamp,	D. Hambleton,	P. M. Thurmond,
Howell Brewer,	Ben. Hardin,	A. D. Weller,
Landon Carter,	J. R. Hindman,	L. Wilson,
J. S. Chrisman,	Elijah Hogan,	John Wolf,
F. R. Davis,	John W. Kendall,	S. M. Wrather,
Asbury Dawson,	Wm. J. McElroy,	Hugh H. York—26.
D. E. Downing,	Thomas H. Moss,	

Those who voted in the negative, were—

Mr. SPEAKER (Bunch),	H. G. Duerson,	E. A. Pearson,
George W. Anderson,	James P. Ford,	Alfred T. Pope,
J. M. Atherton,	W. W. Frazer,	W. V. Prather,
Wm. F. Barret,	Robert T. Glass,	Douglass L. Price,
J. F. Baugh,	J. B. Hays,	G. W. Quick,
D M. Bowen,	Thomas H. Hays,	Wm. S. Richart,
Orlando C. Bowles,	William Irwin, sr.,	George W. Riddle,
Samuel W. Brents,	George M. Jessee,	G. W. Silvertooth,
E. Burr,	James Kilgore,	Robert Simmons,
Wm. B. Caldwell,	Francis M. Lowe,	Henry H. Skiles,
Thomas T. Cogar,	J. J. McAfee,	George W. Terrell,
R. L. Cooper,	George R. McKee,	J. L. Waring,
George R. Diamond,	Edward Myall,	John F. Wight—41.
N. C. Dille,	Joshua B. Parks,	

And so said amendment was rejected.

Mr. Hindman then moved an amendment.

Mr. Bowles moved the previous question.

And the question being stated, "Shall the main question be now put?" it was decided in the affirmative.

Mr. Hindman's amendment was then rejected.

The amendment of the Senate, as amended by the House, reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That it shall be lawful for all persons to contract, by memorandum in writing, signed by the party or parties chargeable thereon, to pay or receive any rate of interest for the loan or forbearance of money which may be agreed on by the parties to such contract, not exceeding ten dollars upon one hundred dollars for a

year, and at the same rate for a greater or less sum, and for a longer or shorter time.

§ 2. That no contract for the payment of a greater rate of interest than six per cent. per annum for the loan or forbearance of money shall be binding in law, unless a memorandum thereof shall be made in writing, and signed by the party chargeable thereon.

§ 3. That all judgments rendered upon any contract in writing for the payment of money shall bear the same rate of interest which is provided by such contract; but upon contracts in which no rate of interest is agreed upon, the judgment shall bear six per cent. per annum.

§ 4. After the death of the payor or obligor of a contract for the loan or forbearance of money at a higher rate of interest than six per centum per annum, such contract, after maturity and any judgment rendered thereon, shall bear six per centum per annum.

§ 5. That if any rate of interest exceeding the rate authorized by the first section of this act shall be charged, the whole interest shall be forfeited; and if the lender in such usurious contract refuse, before suit brought, a tender of the principal without interest, he may, in any suit brought on such contract or assurance, recover the principal, but shall pay the costs of such suit.

§ 6. That nothing in this act shall be construed to authorize any bank or other incorporated institution to charge a greater amount, including exchange, than ten per cent. per annum on any bill, bond, note, or other obligation discounted or purchased by it.

§ 7. That all laws and parts of laws in conflict with the provisions of this act be, and they are hereby, repealed.

§ 8. This act to take effect and be in force from and after the first day of September, 1871.

The question was then taken on concurring in the amendment proposed by the Senate to the bill of the House as amended, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Price and Atherton, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Bunch),	James P. Ford,	E. A. Pearson,
George W. Anderson,	W. W. Frazer,	Alfred T. Pope,
J. M. Atherton,	Robert T. Glass,	W. V. Prather,
Wm. F. Barret,	J. B. Hays,	Douglass L. Price,
J. F. Baugh,	T. H. Hays,	G. W. Quick,
D. M. Bowen,	Wm. Irwin, sr.,	Wm. S. Richart,
Orlando C. Bowles,	George M. Jessee,	George W. Riddle,
Samuel W. Brents,	James Kilgore,	George W. Silvertooth,
E. Burr,	Francis M. Lowe,	Robert Simmons,
William B. Caldwell,	J. J. McAfee,	Henry H. Skiles,
Thomas T. Cogar,	George R. McKee,	Geo. W. Terrell,
George R. Diamond,	Edward Myall,	J. L. Waring,
N. C. Dille,	Joshua B. Parks,	John F. Wight—41.
H. G. Duerson,		

Those who voted in the negative, were—

Silas Adams,	John N. Furber,	Thomas H. Moss,
Ervin Anderson,	L. D. Good,	W. H. Pettus,
Howell Brewer,	D. Hambleton,	R. M. Spalding,
J. S. Chrisman,	Ben. Hardin,	P. M. Thurmond,
R. L. Cooper,	James R. Hindman,	A. D. Weller,
F. R. Davis,	Elijah Hogan,	L. Wilson,
Asbury Dawson,	John W. Kendall,	John Wolf,
D. E. Downing,	Wm. J. McElroy,	S. M. Wrather,
John Duvall,	James A. McKenzie,	Hugh H. York—27.

And so said amendment, as amended, was concurred in.

Resolved, That the title of said bill be changed so as to read,

An act to amend chapter 53 of the Revised Statutes, title "Interest and Usury."

Mr. Atherton moved to reconsider said vote.

Mr. Pope moved to lay the motion of Mr Atherton on the table.

And the question being taken on the motion of Mr. Pope, it was decided in the affirmative.

On the several questions arising under this bill, it was

Ordered, That it be entered on the Journal that Mr. Harcourt had paired off with Mr. Phister.

Leave was given to bring in the following bills, viz:

On motion of Mr. G. W. Anderson—

1. A bill requiring amendments to the charter of the city of Louisville to be ratified by a vote of the people before becoming a law.

On motion of Mr. Richart—

2. A bill authorizing the county court of Montgomery county to fix the per cent. allowed sheriffs for collecting railroad tax in said county.

Ordered, That the Committee on Revised Statutes prepare and bring in the 1st, and the Committee on County Courts the 2d.

The House took up from the orders of the day a bill, entitled

A bill appropriating certain lands to the county of Pendleton.

Ordered, That said bill be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Bills from the Senate were reported, without amendment, by the committees to whom they had been referred, of the following titles, viz:

By Mr. Weller, from the Committee on Internal Improvement—

An act for the benefit of the Cynthiana and Ashbrook's Mill Turnpike Road Company, in Harrison county.

By same—

An act to incorporate the Eminence and Sulphur Fork Turnpike Road Company.

By same—

An act to incorporate Abbott's Landing and Big Twin Creek Turnpike Road Company.

By Mr. Downing, from the same committee—

An act declaring a portion of Round Stone creek, in Rockcastle county, navigable.

By same—

An act to amend the charter of the Owenton and Clay Lick Turnpike Road Company.

By same—

An act to incorporate the Monterey and New Columbus Turnpike Road Company.

Ordered, That said bills be read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Bills were reported by the several committees, who were directed to prepare and bring in the same, of the following titles, viz:

By Mr. Barret, from the Committee on the Judiciary—

A bill to amend an act, entitled "An act to establish the county of Elliott."

By Mr. Thurmond, from the Committee on County Courts—

A bill to repeal section 6 of an act, entitled "An act to amend the charter of the Oakland and Catlettsburg Turnpike," approved February 3, 1871.

By same—

A bill for the benefit of Woodford county.

By same—

A bill increasing the common law jurisdiction of the police court of Caseyville, in Union county.

By Mr. Wrather, from the Committee on Internal Improvement—

A bill to incorporate the Little Benson and Lane's Mill Turnpike Road Company.

By same—

A bill to incorporate the Newcastle and Bethlehem Turnpike Road Company.

By same—

A bill to declare John's creek, in Floyd, Johnson, and Pike counties, a navigable stream.

By same—

A bill to charter the Springfield and Chaplain Turnpike Road Company.

By same—

A bill to incorporate the Perryville and Old Mackville Turnpike Road Company, in Boyle and Mercer counties.

By same—

A bill to charter the Middleburg, Knob Lick, and Trace Fork Turnpike Road Company.

By same—

A bill to amend an act, entitled "An act to incorporate the Cynthiana and Millersburg Turnpike Road Company."

By Mr. Weller, from the same committee—

A bill for the benefit of the Bridgeport and Farmdale Turnpike Road Company.

By same—

A bill for the benefit of the Covington and DeCourcey Creek Turnpike Road Company.

By Mr. Downing, from the same committee—

A bill for the benefit of Park's Ferry and Carlisle Turnpike Road Company.

By same—

A bill to authorize the Anderson county court to levy a tax to build bridges, and for other purposes.

By Mr. Parks, from the same committee—

A bill to amend the charter of the Paducah and Lovelaceville Gravel Road Company.

By same—

A bill to charter the Lagrange and Brownsboro Turnpike Company.

By same—

A bill to incorporate the Frenchburg and Owingsville Turnpike Road Company.

By same—

A bill fixing the rate of freight and tolls on the North Middletown and Mt. Sterling Turnpike Road.

By Mr. Spalding, from the Committee on Sinking Fund—

A bill to expedite the collection of the war claim of the State of Kentucky.

Which were read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

The House then took up for further consideration a bill from the Senate, entitled

An act to provide for the erection of a warehouse for the Kentucky Penitentiary, and to appropriate funds for its erection and completion.

Mr. Chrisman moved an amendment to said bill, which was rejected.

Mr. Cooper then moved an amendment to said bill.

Pending discussion thereon,

The House adjourned.

FRIDAY, MARCH 10, 1871.

Leave was given to bring in the following bills, viz:

On motion of Mr. Skiles—

1. A bill to authorize the construction of a railroad from Bowling Green to Madisonville.

On motion of same—

2. A bill to establish a High School in Bowling Green.

On motion of Mr. Price—

3. A bill concerning the city schools of Lexington.

Mr. Baugh presented the petition of citizens of Rockcastle county, praying the repeal of an act to change the boundary line between Garrard and Rockcastle counties.

Which was received, the reading dispensed with, and referred to the Committee on Charitable Institutions.

A message was received from the Senate, requesting to withdraw from the House the announcement of the passage by the Senate of a bill, entitled

An act to authorize and legalize appropriations out of the railroad fund of Boyle county.

Which was granted, and the bill returned to the Senate.

The Speaker laid before the House the response of the Commissioner of Insurance to certain resolutions adopted by the General Assembly, which was read as follows, viz:

INSURANCE BUREAU OF KENTUCKY,
FRANKFORT, March 9th, 1871.

Hon. JOHN T. BUNCH, *Speaker of the House of Representatives:*

In response to a joint resolution of the General Assembly, passed on the 25th day of February, information of which only reached me at a late hour yesterday, I herewith submit definite answers to such of the specific questions contained in the resolution as the form of reports from Receivers of the Hope, Globe, and Kentucky Insurance Companies, now on file in this office, will furnish. I have dispatched an officer to Louisville with instructions to obtain all the information in the precise form asked for. Upon his return I will submit a supplemental report. In the meantime, I send herewith information that may prove of interest on points not included in the direct questions:

INTERROGATORIES.	Hope.	Globe.	Kentucky.
1. Number of policies outstanding	None.	1,693	None.
Amount of insurance effected	None.	$2,670,450 00	None.
2. Amount of premium notes held	$165,353 73	92,466 84	
3. When all policies expire.			
Canceled by order of Court	June 1, 1870.		June 1, 1870.
4. Amount of money collected from policy-holders since appointment of Receiver,	$41,064 08	$16,105 35	$93,684 36
5. Amount of losses adjusted and unpaid at time Receiver was appointed.			
6. Amount of last call on policy-holders	31,174 52	54,523 62	
7. Amount of losses incurred since appointment of Receiver.			
8. Amount paid policy-holders for losses since appointment of Receiver	10,930 80	None.	38,089 63
9. Amount paid clerks, lawyers, and others, since appointment of Receiver	15,175 66	$8,798 48	46 455 27
10. Amount of money now in hands of Receiver	14,957 62	7,335 67	9,139 46
11. Amount of losses adjusted and unpaid	3,643 60	34,267 37	

The difficulty in answering questions 5 and 7 arises from the fact that losses adjusted and unpaid before and after the time of appointment of the Receivers are not kept separate in their reports to this office.

In addition to the information above given by the Hope, the Receiver reports claims for losses unadjusted and which will be resisted, amounting to from $8,000 to $12,000, as near as he can estimate.

The Receiver of the Kentucky reports losses adjusted 10th December, 1870, and unpaid on that day, $22,260 40. Losses unadjusted 1st June, 1870, $1,044 80, and losses resisted 1st June, 1870, $29,707 62.

The Receiver of the Globe reports a judgment of court on account of assessment on deposit premium notes, amounting to $42,512 62; on account of cash premium notes, $11,207 04; and on account of installment notes, $803 96; making a total of $54,523 62. The same Receiver reports having collected $16,105 35, and a sum due and unpaid, amounting to $92,466 84. The amount, $8,798 48, reported by him as paid to "lawyers, clerks, and others," was distributed as follows:

To H. Hewett	$3,178 14
To T. W. Thompson, Clerk Louisville Chancery Court	3,018 70
To sundry Sheriffs	394 95
To Clerks of Receiver	1,227 80
For rent of office	580 00
For postage	152 79
Stationery, advertising, coal, &c.	216 74
	$8,798 48

Of the amount reported above as paid by the Receiver of the Kentucky, to "clerks, lawyers, and others," there was paid :

To the Clerk of the Louisville Chancery Court	$15,284 15
To the Attorney for trust	5,500 00
To the Attorney for policy-holders	200 00
Salary of Receiver at rate of $3,000 per annum, from July 6, 1868	7,500 00
Salaries of Clerks of Receiver	7,300 00
Sheriff's fees	2,073 82
Rents	2,119 14

Of the amount reported above as paid to "clerks, lawyers, and others," by the Receiver of the Hope, there was paid:

To the Clerk of the Louisville Chancery Court	$7,706 20
Attorney's fees	2,600 00
Receiver's clerks	2,500 00
Marshal Louisville Court and Sheriff	1,281 70

The Receiver of this company reports that no compensation has yet been allowed him by the Court.

The balance in hands of said Receiver is stated to be $14,957 62.

Very respectfully,

GUSTAVUS W. SMITH,

Insurance Commissioner.

On motion of Mr. Atherton,

Ordered, That the Public Printer print 500 copies thereof for the use of the General Assembly.

A message was received from the Governor, by Mr. Samuels, Assistant Secretary of State, announcing that he had approved and signed enrolled bills and a joint resolution, which originated in the House of Representatives, of the following titles, viz:

An act to prohibit the sale of intoxicating liquors in district No. 9, in Meade county.

An act changing the time of holding the Montgomery county quarterly courts.

An act to incorporate the town of Casey's Mines, in Union county.

An act to amend the charter of the city of Henderson.

An act to amend the charter of the city of Dayton, in Campbell county.

An act providing for the completion of the fire-proof offices in the city of Frankfort.

Resolution to purchase Cain's portrait of Chief Justice Robertson.

The House took up the motion heretofore made to reconsider the vote by which this House rejected a bill, entitled

A bill for the benefit of the Auditor of Public Accounts and others.

Mr. Downing moved to lay said motion on the table.

The question being taken on the motion of Mr. Downing, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Downing and Wight, were as follows, viz:

Those who voted in the affirmative, were—

J. M. Atherton,	D. Hambleton,	William S. Richart,
J. F. Baugh,	James B. McCreary,	A. D. Weller,
J. S. Chrisman,	William J. McElroy,	John F. Wight,
Asbury Dawson,	George R. McKee,	John Wolf,
D. E. Downing,	Mason Morris,	Hugh H. York—17.
L. D. Good,	Joshua B. Parks,	

Those who voted in the negative, were—

Mr. SPEAKER (Bunch),	John Duvall,	G. W. Little,
Wm. F. Barret,	M. W. Ferguson,	Thomas H. Moss,
Alpheus W. Bascom,	W. W. Frazer,	Edward Myall,
Robert C. Beauchamp,	John N. Furber,	Douglass L. Price,
D. M. Bowen,	J. B. Hays,	G. W. Quick,
Orlando C. Bowles,	T. H. Hays,	George W. Riddle,
Samuel W. Brents,	Jas. R. Hindman,	G. W. Silvertooth,
Landon Carter,	Elijah Hogan,	Robert Simmons,
James R. Claybrook,	Wm. Irwin, sr.,	Henry H. Skiles,
Thomas T. Cogar,	George M. Jessee,	Richard M. Spalding,
I. B. Combs,	Alfred M. Jones,	George W. Terrell,
R. L. Cooper,	John W. Kendall,	P. M. Thurmond,
F. R. Davis,	James Kilgore,	J. L. Waring,
George R. Diamond,	Francis M. Lowe,	S. M. Wrather—43.
H. G. Duerson,		

The question was then taken on the motion to reconsider the vote by which said bill was rejected, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Bowles and Bowen, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Bunch),	H. G. Duerson,	Edward Myall,
Wm. F. Barret,	John Duvall,	E. A. Pearson,
Alpheus W. Bascom,	James P. Ford,	W. V. Prather,
J. F. Baugh,	J. B. Hays,	Douglass L. Price,
Rob't C. Beauchamp,	T. H. Hays,	G. W. Quick,
D. M. Bowen,	Jas. R. Hindman,	George W. Riddle,
Orlando C. Bowles,	Elijah Hogan,	G. W. Silvertooth,
Samuel W. Brents,	William Irwin, sr.,	Robert Simmons,
Landon Carter,	George M. Jessee,	Henry H. Skiles,
James R. Claybrook,	Alfred M. Jones,	R. M. Spalding,
Thomas T. Cogar,	John W. Kendall,	Geo. W. Terrell,
I. B. Combs,	James Kilgore,	P. M. Thurmond,
R. L. Cooper,	G. W. Little,	J. L. Waring,

F. R. Davis,	J. J. McAfee,	S. M. Wrather,
Geo. R. Diamond,	Thomas H. Moss,	Hugh H. York—45.

Those who voted in the negative, were—

J. M. Atherton,	D. Hambleton,	W. H. Pettus,
E. Burr,	Francis M. Lowe,	Alfred T. Pope,
J. S. Chrisman,	James B. McCreary,	William S. Richart,
Asbury Dawson,	William J. McElroy,	A. D. Weller,
D. E. Downing,	George R. McKee,	John F. Wight,
W. W. Frazer,	Mason Morris,	John Wolf—20.
L. D. Good,	Joshua B. Parks,	

And so said vote was reconsidered.

Mr. Bowen then moved to reconsider the vote by which said bill was ordered to be read a third time.

And the question being taken on the motion of Mr. Bowen, it was decided in the affirmative.

Mr. Silvertooth then moved the following amendment, viz:

Add the following section: "That the Auditor of Public Accounts shall, in like manner, draw his warrant on the Treasurer for the sum of two hundred dollars in favor of Richard Sharp, Clerk in the Land Office, in addition to the salary now allowed by law."

The question being taken on the adoption of said amendment, it was decided in the affirmative.

Ordered, That said bill, as amended, be engrossed and read a third time.

Said bill being engrossed, was read a third time as follows, viz:

WHEREAS, Under the general school law passed at the last session of this General Assembly, the labor in the offices of the Auditor of Public Accounts, Superintendent of Public Instruction, and State Treasurer, was greatly increased; and whereas, no provision was made in said law to compensate the aforesaid public officers for the said extra labor so imposed upon their respective departments; therefore,

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the Auditor of Public Accounts be, and he is hereby, authorized to draw his warrant on the Treasurer in favor of himself, for the benefit of clerk hire, for the sum of ($200) two hundred dollars; and in favor of the Superintendent of Public Instruction, for the benefit of clerk hire, for the sum of two hundred dollars ($200); and in favor of the State Treasurer, for the benefit of clerk hire, for the sum of one hundred dollars ($100); and that the Auditor of Public Accounts shall, in like manner, draw his warrant on the Treasurer for the sum of $200, in favor of Richard Sharp, clerk in the Land Office, in addition to the salary now allowed by law.

§ 2. The amounts so appropriated shall be paid out of any surplus moneys belonging to the school fund not otherwise appropriated.

§ 3. This act shall take effect from and after its passage.

The question was then taken on the passage of said bill, but not having received a constitutional majority, it was decided in the negative.

The yeas and nays being required thereon, in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Bunch),	M. W. Ferguson,	E. A. Pearson,
Wm. F. Barret,	James P. Ford,	W. V. Prather,
Alpheus W. Bascom,	John N. Furber,	Douglass L. Price,
J. F. Baugh,	J. B. Hays,	G. W. Quick,
D. M. Bowen,	Thomas H. Hays,	George W. Riddle,
Orlando C. Bowles,	Elijah Hogan,	George W. Silvertooth,
Samuel W. Brents,	William Irwin, sr.,	Robert Simmons,
Landon Carter,	George M. Jessee,	Henry H. Skiles,
J. S. Chrisman,	Alfred M. Jones,	Richard M. Spalding,
James R. Claybrook,	John W. Kendall,	George W. Terrell,
Thos. T. Cogar,	James Kilgore,	P. M. Thurmond,
R. L. Cooper,	Francis M. Lowe,	J. L. Waring,
F. R. Davis,	G. W. Little,	L. Wilson,
George R. Diamond,	James A. McKenzie,	S. M. Wrather—44.
John Duvall,	Thomas H. Moss,	

Those who voted in the negative, were—

Silas Adams,	Ben. Hardin,	Joshua B. Parks,
J. M. Atherton,	James R. Hindman,	W. H. Pettus,
E. Burr,	J. J. McAfee,	Alfred T. Pope,
Asbury Dawson,	James B. McCreary,	Wm. S. Richart,
D. E. Downing,	William J. McElroy,	A. D. Weller,
W. W. Frazer,	George R. McKee,	John F. Wight,
L. D. Good,	Mason Morris,	John Wolf,
D. Hambleton,	Edward Myall,	Hugh H. York—24.

And so said bill was rejected.

Mr. Bowles, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the Senate, of the following titles, viz:

An act to incorporate the Louisville Railway Transfer Company, and conferring certain powers in relation thereto on the Louisville, Cincinnati and Lexington, and Louisville and Nashville Railroad Companies;

An act to cause good school-houses to be erected in the Eighth and Ninth Congressional Districts;

An act to reduce into one, amend, and digest the acts and amendatory acts incorporating the city of Paris;

An act to attach the counties of Elliott and Lee to the 34th Senatorial District;

An act to amend an act, entitled "An act to incorporate the Harrodsburg, Duncansville, and Chaplaintown Turnpike Road Company;"

An act for the benefit of Thomas Cook, James Root, John E. White, and Howell Brewer;

An act to amend an act, approved March 15, 1869, entitled "An act to authorize the sale and conveyance of certain lands and personalty belonging to the State on Licking river;"

An act to amend the charter of the Liberty and Middleburg Turnpike Road Company, approved March 21, 1870;

An act to amend an act, entitled "An act to amend and reduce into one the several acts relating to the town of Morganfield;"

An act to amend the charter of the Masonic Temple Company, of Louisville;

And also enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to revise, digest, and compile the statute laws and Codes of Practice of Kentucky;

An act to amend an act, entitled "An act to amend an act, entitled 'An act to incorporate the town of Cloverport and Lower Cloverport into the town of Cloverport,'" approved March 5th, 1868;

An act to increase the jurisdiction of the mayor of the city of Dayton, in Campbell county;

An act for the benefit of Granville Evans, of Wolfe county;

An act authorizing the trustees of school district No. 2, in Hickman county, to levy and collect a tax for school purposes;

An act to establish a public school for colored children in the city of Henderson;

An act to establish a graded school at St. James, late Shelby College, in Shelbyville;

An act to amend the first section of an act, entitled "An act to amend the charter of the Washington County Agricultural Society," approved February 20, 1868;

An act to amend an act, entitled "An act to amend an act to incorporate the Kentucky Mining, Lumber, and Manufacturing Company;"

And had found the same truly enrolled.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Bowles inform the Senate thereof.

A message was received from the Senate, announcing that they had received official information that the Governor had approved and

signed enrolled bills, which originated in the Senate, of the following titles, viz:

An act to amend the charter of the Eminence and Mulberry Turnpike Road Company.

An act to amend the charter of the town of Catlettsburg.

An act to amend the charter of the Louisville and Jefferson County Association.

An act to amend the charter of the city of Augusta.

An act to amend the charter of the town of Bethel.

An act to amend the charter of the town of Wyoming.

An act to amend the second and third sections of an act, entitled An act to establish the 16th judicial district," approved February 18, 1868.

An act to amend an act, entitled "An act incorporating the town of Hustonville, and the several acts amendatory thereof."

That they had concurred in the amendments proposed by the House of Representatives to bills, which originated in the Senate, of the following titles, viz:

An act to incorporate the Louisville Railway Transfer Company, and conferring certain powers in relation thereto on the Louisville, Cincinnati and Lexington, and Louisville and Nashville Railroad Companies.

An act to amend an act, entitled "An act to provide for the incorporation and regulation of fire, marine, health, accident, live stock, and all other, except life insurance companies," approved March 12, 1870.

That they had disagreed to bills, which originated in the House of Representatives, of the following titles, viz:

An act to repeal certain acts relative to the Louisville and Taylorsville Turnpike Road Company, and to amend the charter of the same.

An act for the benefit of Thomas E. Jones, of Marshall county.

An act for the benefit of William W. Dowden, late sheriff of Fayette county.

An act for the benefit of Asa Gilbert, former sheriff of Clay county, and to allow him to appoint a deputy for certain purposes.

An act for the benefit of Nicholas Moore, of Lewis county.

That they had passed bills, which originated in the House of Representatives, of the following titles, viz:

An act exempting salt wagons from payment of toll on the Wilderness Turnpike Road, in the counties of Knox and Josh Bell.

An act for the benefit of M. C. Hughes, late sheriff of Gallatin county.

An act to amend an act, entitled "An act transferring portions of the Elizabethtown and Bell's Tavern Turnpike Road to the counties of Hardin, Hart, and Barren," approved December 23, 1861.

An act for the benefit of John A. Wilson, clerk of the Fulton county court.

An act for the benefit of J. S. Randall, of Whitley county.

An act to amend an act, entitled "An act to incorporate the Simpsonville and Antioch Turnpike Road Company."

An act to protect bridges over Licking river, in Pendleton county.

An act to amend an act, entitled "An act to amend an act, entitled 'An act to amend the charter of the Shelbyville Railroad Company, and to authorize certain counties to take stock in the same.'"

An act for the benefit of R. W. Stringer, of Livingston county.

An act for the benefit of Elijah Evans, of Jessamine county.

An act authorizing the trustees of the Silver Creek Academy to sell and convey the academy property, with power to reinvest the proceeds of the sale.

An act to incorporate the Mill Grove and Paint Lick Creek Turnpike Road Company, in Madison county.

An act to incorporate Dreaming Creek Turnpike Road Company, in Madison county.

An act for the benefit of Haly & Brawner.

An act to incorporate the Glasgow, Edmonton, and Burksville Turnpike Road Company.

An act to repeal an act, entitled "An act to change the road law in Kenton county," approved February 16, 1870.

An act to incorporate the Logan's Creek, Dudderar's Mill, and White Oak Turnpike Road Company.

An act to incorporate the Shepherdsville and Belmont Furnace Turnpike Road Company.

An act for the benefit of George Robertson, of Casey county.

An act to amend the charter of the Bethel and Owingsville Turnpike Road Company.

An act to amend the charter of the Owingsville and Sherburn Turnpike Road Company.

An act to amend the charter of the Owingsville, Sharpsburg, and Bald Eagle Turnpike Road Company.

An act to incorporate the Maux Branch Turnpike Road Company.

An act to regulate the collection of tolls on such parts of the Russell Turnpike Road, in Fayette county, and the Centerville and Jacksonville Turnpike Road, as are now without gates.

An act for the benefit of James F. Carson, of Rockcastle county.

An act to allow the county court of Marshall county to purchase Stanton's Treatise.

An act for the benefit of common school district No. 26 (Carlisle district), in Nicholas county.

An act for the benefit of school district No. 3, in Simpson county.

An act for the benefit of common school district No. 31, in Bullitt county.

An act for the benefit of common school district No. 19, in Montgomery county.

An act to amend an act, entitled "An act to amend and re-enact an act to authorize common school district No. 7, in Washington county, to levy a tax for school purposes, approved March 11, 1867," approved February 3, 1870.

An act for the benefit of the common school districts in Clinton county.

An act for the benefit of school district No. 6, in Robertson county.

An act for the benefit of public schools and academies of Newport.

An act to incorporate the Caverna and Burksville Turnpike Road Company.

An act for the benefit of the sureties of Young E. Hurt, late sheriff of Adair county.

An act to provide compensation to the clerk of the Campbell circuit court for making cross-index to the suits and records thereof.

An act for the benefit of M. H. Johns, of Lawrence county.

An act for the benefit of E. M. Flack, sheriff of Todd county.

An act to incorporate the DeMossville and Gardnersville Turnpike Road Company, in Pendleton county.

An act concerning the collection of claims of the State of Kentucky against the Federal Government.

An act to authorize Garred Ratliffe to erect a boom across Rockcastle creek, in Lawrence county.

An act to amend an act, entitled "An act for the improvement of the Big Sandy river," approved February 10, 1870.

An act for the benefit of school district No. 22, in Madison county.

An act authorizing the county judge of Logan county to appropriate money to keep in repair the turnpike roads in Russellville district, in said county.

An act to incorporate the Louisville Stock Yard Company.

An act to incorporate the Iron Works Turnpike Road Company.

An act to incorporate the Gano Hill Turnpike Company.

An act to incorporate the Big Eagle and Connersville Turnpike Company.

An act to incorporate the Parker's Mill, Stonewall, and Connersville Turnpike Company.

An act to amend an act, entitled "An act to amend the Concord and Tollsboro Turnpike Road Company."

An act to require turnpike road companies in Lewis county to make annual settlements with the county judge.

An act to incorporate the Quick's Run and Stout's Landing Turnpike Company.

An act to amend an act, entitled "An act incorporating Sherburne Bridge Company," approved March 9, 1854.

An act declaring Grassy creek, in Morgan county, a navigable stream.

An act to amend the charter of the Board of Education of the Louisville Annual Conference of the Methodist Episcopal Church, South, approved January 25, 1867.

An act to incorporate the Frenchburg and Jeffersonville Turnpike Road Company.

An act to amend an act, entitled "An act to charter the Cabin Creek, Sand Hill, and Manchester Turnpike Road Company," approved March 14, 1870.

An act to incorporate the Mt. Eden and Camdensville Turnpike Road Company.

An act to incorporate the West Paris Bridge Company.

An act for the benefit of Thos. Monarch, late tax collector of Daviess county.

An act to amend an act repealing in part the act declaring the Rolling Fork of Salt river a navigable stream.

An act to incorporate Odd Fellows' Hall Company in the town of Nicholasville.

An act for the benefit of E. B. Treadaway, former sheriff of Owsley county.

An act to amend an act, entitled "An act for the benefit of the county school fund of Pendleton county," approved March 21, 1870.

With amendments to the last five named bills.

That they had refused to concur in the amendment proposed by the House to a bill, which originated in the Senate, entitled

An act for the benefit of John C. Broadhead.

And that they had passed bills of the following titles, viz:

1. An act for the benefit of Henry B. Wiseman, sheriff of Estill county.

2. An act to authorize the Union county court to appoint a sheriff for said county.

3. An act for the benefit of the late sheriffs of Union county.

4. An act to amend the charter of Uniontown.

5. An act to amend the common school law for the county of Jefferson.

6. An act amending an act, entitled "An act to amend an act incorporating the Bardstown and Bloomfield Turnpike Road Company."

7. An act incorporating the Bloomfield and Bardstown Turnpike Road Company.

8. An act incorporating the Bardstown and Shepherdsville Turnpike Road Company.

9. An act to amend an act, entitled "An act to amend the charter of the Smithfield and Ballardsville Turnpike Road Company."

10. An act to incorporate the Eminence and Smithfield Turnpike Road Company.

11. An act to incorporate the Peed and Johnson Turnpike Road Company.

12. An act for the benefit of the Minerva and Beasley's Creek Church Turnpike Road Company, in Mason county.

13. An act to amend an act, entitled "An act to authorize the Louisville chancery court, and the Jefferson circuit and county courts, to increase the compensation of the surveyor of Jefferson county in certain cases.

14. An act for the benefit of turnpike roads in Bath county.

15. An act to amend the charter of the New Castle and Carrollton Turnpike Road, approved February 4, 1858.

16. An act to incorporate the Hardin County Railroad, Mining, and Co-operative Company.

17. An act for the benefit of Wm. E. Clelland, sheriff of Mercer county.

18. An act to authorize the counties of Madison, Estill, Lee, Owsley, the city of Louisville, and any other cities, counties, or towns in this State, corporations or individuals, to subscribe for stock in a Branch of the Louisville and Nashville Railroad, from Richmond to Irvine and Scott's Landing, or Beattyville, in Kentucky.

Which were read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That they be referred—the 1st, 3d, and 17th to the Committee on Ways and Means; the 2d to the Committee on County Courts; the 4th to the Committee on Corporate Institutions; the 5th to the Committee on Education; the 6th, 7th, 8th, 9th, 10th, 11th, 12th, 13th, 14th, and 15th to the Committee on Internal Improvement; and the 16th and 18th to the Committee on Railroads.

A message was received from the Senate, announcing that they had passed a bill, entitled

An act to authorize the Fayette county court to appropriate money.

Which was read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be referred to the Committee on Circuit Courts.

On motion of Mr. Prather, leave was given to bring in a bill to amend an act, entitled "An act for the benefit of the county of Fleming," approved 17th February, 1871.

Ordered, That the Committee on County Courts prepare and bring in the same.

The House resumed the consideration of a bill from the Senate, entitled

An act to provide for the erection of a warehouse for the Kentucky Penitentiary, and to appropriate funds for its erection and completion,

And the amendment proposed thereto.

The amendment moved by Mr. Cooper was rejected.

Amendments were moved by Messrs. Caldwell and Furber, which were adopted.

Amendments were also moved by Messrs. Irwin and Richart, which were rejected.

Ordered, That said bill, as amended, be read a third time.

Said bill, as amended, was then read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the sum of twenty-eight thousand three hundred and eleven dollars ($28,311) be, and the same is hereby, appropriated, for the purpose of building a block of warehouses, four in number, covering, in the aggregate, the one hundred by one hundred feet of ground owned by the State, immediately opposite the western wall of the penitentiary.

§ 2. That the Governor, the Auditor of Public Accounts, and the Treasurer, be, and are hereby, appointed a commission to employ an architect to furnish suitable plans and specifications to be adopted by them, and to employ and make a contract with some suitable builder or builders to erect said buildings; but said commission shall in no case exceed the amount appropriated in the first section of this bill: *Provided*, That the commissioners appointed by this section shall be required to advertise in two newspapers published in Frankfort, and two or more newspapers published in the city of Louisville, in one newspaper published in the city of Covington, and one or more newspapers published in the city of Lexington, for thirty days, for proposals for contracts for said work, and shall let the same to the lowest and best bidder, who shall execute bond to the State with approved security for the faithful performance of his contract: *Provided further*, That neither of said commissioners shall, directly or indirectly, be interested or become interested in the contract or in the work done or material furnished.

§ 3. That the commissioners are hereby authorized to issue certificates to the Auditor in favor of the contractor or contractors for such sum as will pay not more than twenty-five per cent. for work done as it progresses, at such time as they may deem proper and expedient; but at no time shall they issue any such certificates for work which has not been done.

§ 4. Upon the receipt of any of the certificates provided for in the third section of this act, it shall be the duty of the Auditor to draw his warrant upon the Treasury for said sum corresponding with such certificates, to be paid out of any money in the Treasury not otherwise appropriated.

§ 5. The commissioners shall take an oath for the faithful performance of their duties.

§ 6. That the Keeper of the Penitentiary shall pay six per centum per annum on the money invested to build the warehouse after the same is completed.

§ 7. That the Keeper of the Penitentiary shall consent to tear down the present warehouse, for the purpose of erecting the one proposed in this act, without any charge to the State for removal, and that the material shall be used for the construction of the proposed building, as far as it will go.

§ 8. This act shall be in force from its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon, in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Bunch),	M. W. Ferguson,	George R. McKee,
Silas Adams,	James P. Ford,	James A. McKenzie,
Ervin Anderson,	W. W. Frazer,	Thomas H. Moss,
Alpheus W. Bascom,	John N. Furber,	Joshua B. Parks,
Robert C. Beauchamp,	Robert T. Glass,	E. A. Pearson,
D. M. Bowen,	Clinton Griffith,	W. V. Prather,
Orlando C. Bowles,	Ben. Hardin,	Douglass L. Price,
Samuel W. Brents,	J. B. Hays,	William S. Richart,
E. Burr,	T. H. Hays,	George W. Riddle,
William B. Caldwell,	Elijah Hogan,	G. W. Silvertooth,
Landon Carter,	George M. Jessee,	Robert Simmons,
James R. Claybrook,	Alfred M. Jones,	Henry H. Skiles,
Thomas T. Cogar,	John W. Kendall,	R. M. Spalding,
I. B. Combs,	James Kilgore,	George W. Terrell,
R. L. Cooper,	Francis M. Lowe,	P. M. Thurmond,
F. R. Davis,	G. W. Little,	J. L. Waring,
George R. Diamond,	J. J. McAfee,	L. Wilson,
D. E. Downing,	James B. McCreary,	S. M. Wrather—55.
H. G. Duerson,		

Those who voted in the negative, were—

J. M. Atherton,	James R. Hindman,	W. H. Pettus,
J. S. Chrisman,	William Irwin, sr.,	G. W. Quick,
Asbury Dawson,	William J. McElroy,	A. D. Weller,
John Duvall,	Mason Morris,	John Wolf,
L. D. Good,	Edward Myall,	Hugh H. York—16.
D. Hambleton,		

Resolved, That the title of said bill be as aforesaid.

Mr. Bowles, from the Committee on Enrollments, reported that the committee had examined an enrolled bill, which originated in the House of Representatives, entitled

An act for the benefit of Haly & Brawner;

And had found the same truly enrolled.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Bowles inform the Senate thereof.

According to order, the House took up and proceeded with the further consideration of a bill, entitled

A bill to establish the county of Combs.

Mr. Bowles moved to lay said bill on the table.

And the question being taken thereon, it was decided in the negative.

Pending discussion on said bill, the hour for taking a recess, under the resolution heretofore adopted, arrived, and the further consideration thereof suspended.

Leave of absence, indefinitely, was granted Messrs. Atherton, Dille, Hurst, and Brewer.

Leave was given to bring in the following bills, viz:

On motion of Mr. Frazer—

1. A bill to amend an act, entitled "An act to incorporate the Elkton Railroad Company."

On motion of Mr. Bowen—

2. A bill for the benefit of R. T. P. Allen, of Franklin county.

Ordered, That the Committee on Railroads prepare and bring in the 1st, and a select committee, consisting of Messrs. Bowen, Spalding, and McKee, the 2d.

Mr. McCreary moved the following resolution, viz:

Resolved, That the Clerk of this House is hereby authorized (if, in his judgment, necessary to expedite business) to employ an additional Clerk at a cost of not exceeding five dollars per day.

Which, being twice read, was adopted.

Bills from the Senate were reported, without amendment, by the committees to whom they had been referred, of the following titles, viz:

By Mr. Furber, from the Committee on Banks--

An act to amend an act, entitled "An act to incorporate a Savings and Deposit Bank in Elkton, in Todd county."

By Mr. Silvertooth, from the Committee on Circuit Courts—

An act to attach the county of Martin to the 16th judicial district.

By same—

An act to repeal an act, entitled "An act to re-enact an act, entitled 'An act regulating the time of holding the circuit courts,' approved March 5, 1866," approved February 25, 1870.

By same—

An act to change the time of holding the circuit courts of Pulaski county, in the 8th judicial district.

By same—

An act to amend an act, entitled "An act to amend the charter of the town of Danville," approved February 17, 1871.

By Mr. Pope, from the Committee on Banks—

An act to amend the charter of the Warren Deposit Bank.

Ordered, That said bills be read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Bills were reported by the several committees, who were directed to prepare and bring in the same, of the following titles, viz:

By Mr. Silvertooth, from the Committee on Circuit Courts—

A bill to amend an act, entitled "An act to create a special road law for the county of Pendleton."

By same—

A bill to amend an act, entitled "An act to amend an act to authorize the Pendleton county court to raise money to build bridges, &c."

By Mr. Glass, from the Committee on Banks—

A bill to incorporate the Bank of Metropolis.

Which were read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Silvertooth, from the Committee on Circuit Courts, who were directed to prepare and bring in the same, reported

A bill for the benefit of M. M. Teager, of Fleming county.

Which was read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Mr. Prather moved an amendment, which was adopted.

Ordered, That said bill, as amended, be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Pope, from the Committee on Banks, who were directed to prepare and bring in the same, reported

A bill to incorporate Campbell County Kentucky Bank.

Which was read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Mr. Wight moved an amendment, which was adopted.

Ordered, That said bill, as amended, be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Glass, from the Committee on Banks, to whom was recommitted a bill, entitled

A bill to amend the charter of the German Insurance Company, of Louisville.

Reported the same with amendments thereto.

Said amendments were adopted.

Ordered, That said bill, as amended, be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Glass, from the Committee on Banks, to whom was recommitted a bill from the Senate, entitled

An act for the benefit of the Commercial Bank of Kentucky and Farmers' Bank of Kentucky,

With the amendment moved thereto,

Reported the same, with the expression of opinion that said bill ought to pass without amendment.

The amendment moved by Mr. Furber to said bill reads as follows, viz:

Strike from 11th line of the 1st section the words "a majority in interest," and insert after the word "of," in the same line, the word "all."

The question was then taken on the adoption of said amendment, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Furber and Bascom, were as follows, viz:

Those who voted in the affirmative, were—

Alpheus W. Bascom,	Wm. J. McElroy,	L. Wilson,
Asbury Dawson,	Edward Myall,	John Wolf,
John N. Furber,	A. D. Weller,	S. M. Wrather—9.

Those who voted in the negative, were—

Mr. SPEAKER (Bunch),	H. G. Duerson,	James B. McCreary,
Ervin Anderson,	M. W. Ferguson,	George R. McKee,
Wm. F. Barret,	James P. Ford,	James A. McKenzie,
J. F. Baugh,	W. W. Frazer,	Mason Morris,
Rob't C. Beauchamp,	Robert T. Glass,	Thomas H. Moss,
D. M. Bowen,	Clinton Griffith,	E. A. Pearson,
Orlando C. Bowles,	D. Hambleton,	W. V. Prather,
E. Burr,	J. B. Hays,	Douglass L. Price,
Wm. B. Caldwell,	Thomas H. Hays,	Wm. S. Richart,
Landon Carter,	J. R. Hindman,	G. W. Silvertooth,
J. S. Chrisman,	William Irwin, sr.,	Richard M. Spalding,
James R. Claybrook,	George M. Jessee,	George W. Terrell,
Thomas T. Cogar,	Alfred M. Jones,	P. M. Thurmond,
I. B. Combs,	James Kilgore,	Hugh H. York—44.
D. E. Downing,	J. J. McAfee,	

And so said amendment was rejected.

Ordered, That said bill be read a third time.

Said bill was then read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the Commercial Bank of Kentucky and Farmers' Bank of Kentucky shall have the power, by their president and directors, with the consent of a majority in interest of their stockholders, to subscribe for stock in any of the associations formed, or to be formed, under the laws of the United States, for banking purposes, and known as National Banks: *Provided*, Such subscriptions, in the aggregate, by either bank, shall not exceed one half its capital stock.

§ 2. This act shall take effect from its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Furber and Wolf, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Bunch),	James P. Ford,	James A. McKenzie,
Silas Adams,	W. W. Frazer,	Mason Morris,
Ervin Anderson,	Robert T. Glass,	Thomas H. Moss,
Wm. F. Barret,	Clinton Griffith,	E. A. Pearson,
J. F. Baugh,	D. Hambleton,	W. V. Prather,

D. M. Bowen,	Ashton P. Harcourt,	Douglass L. Price,
Orlando C. Bowles,	J. B. Hays,	William S. Richart,
E. Burr,	Thomas H. Hays,	George W. Riddle,
William B. Caldwell,	James R. Hindman,	Geo. W. Silvertooth,
Landon Carter,	Elijah Hogan,	R. M. Spalding,
J. S. Chrisman,	William Irwin, sr.,	George W. Terrell,
James R. Claybrook,	George M. Jessee,	P. M. Thurmond,
Thomas T. Cogar,	Alfred M. Jones,	J. L. Waring,
I. B. Combs,	James Kilgore,	A. D. Weller,
H. G. Duerson,	J. J. McAfee,	S. M. Wrather
John Duvall,	James B. McCreary,	Hugh H. York—50.
M. W. Ferguson,	George R. McKee,	

Those who voted in the negative, were—

Alpheus W. Bascom,	D. E. Downing,	John F. Wight,
Rob't C. Beauchamp,	John N. Furber,	L. Wilson,
F. R. Davis,	Wm. J. McElroy,	John Wolf—11.
Asbury Dawson,	Edward Myall,	

Resolved, That the title of said bill be as aforesaid.

Mr. Silvertooth, from the Committee on Circuit Courts, to whom was referred a bill from the Senate, entitled

An act to authorize the Fayette county court to appropriate money,

Reported the same without amendment.

Ordered, That said bill be read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

And then the House adjourned.

SATURDAY, MARCH 11, 1871.

The following petitions and remonstrance were presented, viz:

By Mr. Little—

1. The petition of citizens of Whitley county, praying for the passage of an act to diminish the pay of officers of said county.

By Mr. Brents—

2. The petition of citizens of Barren county, praying for the passage of an act to prohibit the sale of intoxicating drinks within one mile of the depot at Glasgow, outside of the corporate limits of said town.

By Mr. J. B. Hays—

3. The petition of citizens of the town of South Carrollton, praying the passage of an act to repeal a law prohibiting the sale of spirituous liquors in said town, and to authorize the trustees of said town to license coffee-houses, &c.

By Mr. Silvertooth.

4. The petition of citizens of Ballard county, praying that Samuel Bone, of said county, may be allowed to peddle without license.

By same—

5. The petition of citizens of 2d district of Ballard county, praying the passage of a law prohibiting the hunting of game in said precinct.

By Mr. Skiles—

6. The petition of citizens living in the valley of Licking river, praying that the charter of the Licking River Lumber and Mining Company be so amended as to compel them to raft their lumber.

By Mr. McAfee—

7. The petition of citizens of Washington and Mercer counties, praying for a change in the boundary line of said county.

By Mr. Claybrook—

8. The petition of citizens of Mackville district, in Washington county, praying for the creation of an additional voting place therein.

By Mr. Skiles—

9. The remonstrance of citizens of Morgan county, against the formation of new counties out of any part of her territory.

Which were received, the reading dispensed with, and referred—the 1st, 4th, 5th, and 8th to the Committee on County Courts; the 2d to the Committee on Religion; and the 3d, 6th, 7th, and 9th to the Committee on Propositions and Grievances.

Leave was given to bring in the following bills, viz:

On motion of Mr. Hindman—

1. A bill for the benefit of the Cumberland and Ohio Railroad Company.

On motion of same—

2. A bill for the benefit of the Danville and McMinnville Railroad Company.

On motion of Mr. Brents—

3. A bill to prohibit the sale of spirituous, vinous, or malt liquors near the Glasgow railroad depot.

On motion of same—

4. A bill for the benefit of manufacturers, auctioneers, and peddlers of this Commonwealth.

On motion of same—

5. A bill to amend and reduce into one the several acts incorporating the town of Glasgow.

On motion of Mr. Adair—

6. A bill to prohibit the sale of malt, vinous, or spirituous liquors in the town of Canmer, or within one mile thereof.

On motion of Mr. Thurmond—

7. A bill to pay jurors who serve in the interest of railroad companies.

On motion of Mr. Bowles—

8. A bill to amend the charter of the Big Sandy Navigation and Improvement Company.

On motion of Mr. Price—

9. A bill for the benefit of T. B. Megowan, jailer of Fayette county.

Ordered, That the Committee on Railroads prepare and bring in the 1st, 2d, and 7th; the Committee on Religion the 3d; the Committee on Propositions and Grievances the 4th; the Committee on County Courts the 8th and 9th; a select committee, consisting of Messrs. McKee, Barret, and Furber, the 5th; and a select committee, consisting of Messrs. Adair, Barret, McCreary, Silvertooth, and Price, the 6th.

Mr. Corbett, from the Committee on County Courts, to whom was referred a bill from the Senate, entitled

An act for the benefit of George Mantle, of Blandville,

Reported the same without amendment.

Ordered, That said bill be read a third time.

Said bill was read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That George Mantle, of the town of Blandville, Ballard county, be, and he is hereby, authorized to sell spirituous liquors by the drink, as a tavern-keeper, for the period of one year from and after the passage of this act: *Provided*, He shall, before availing himself of the benefit of this act, pay the license now required, and execute bond with surety as required by law.

§ 2. This act shall take effect from and after its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Good and Myall, were as follows, viz:

Those who voted in the affirmative, were—

Silas Adams,	Asbury Dawson,	Geo. R. McKee,
Ervin Anderson,	H. G. Duerson,	Thomas H. Moss,
Alpheus W. Bascom,	John Duvall,	E. A. Pearson,
Robert C. Beauchamp,	James P. Ford,	Douglass L. Price,
Orlando C. Bowles,	D. Hambleton,	George W. Silvertooth,
Landon Carter,	James R. Hindman,	Henry H. Skiles,
J. S. Chrisman,	Elijah Hogan,	R. K. Smith,
James R. Claybrook,	Wm. Irwin, sr.,	George W. Terrell,
Thomas T. Cogar,	George M. Jessee,	P. M. Thurmond,
I. B. Combs,	Alfred M. Jones,	L. Wilson,
Thomas H. Corbett,	John W. Kendall,	S. M. Wrather—35.
F. R. Davis,	James Kilgore,	

Those who voted in the negative, were—

William Adair,	L. D. Good,	Wm. S. Richart,
William F. Barret,	Ashton P. Harcourt,	George W. Riddle,
J. F. Baugh,	J. B. Hays,	Robert Simmons,
D. M. Bowen,	Thomas H. Hays,	J. L. Waring,
Samuel W. Brents,	Edward Myall,	A. D. Weller,
R. L. Cooper,	W. H. Pettus,	John F. Wight,
D. E. Downing,	Alfred T. Pope,	Hugh H. York—23.
W. W. Frazer,	G. W. Quick,	

Resolved, That the title of said bill be as aforesaid.

The House took up the amendments proposed by the Senate to bills, which originated in the House of Representatives, of the following titles, viz:

An act to amend an act, entitled "An act for the benefit of the county school fund of Pendleton county," approved March 21, 1870.

An act to amend an act repealing in part the act declaring the Rolling Fork of Salt river a navigable stream.

Said amendments were concurred in.

Mr. Harcourt, from the Committee on Circuit Courts, to whom was recommitted a bill, entitled

A bill for the benefit of Mrs. Russell Kavanaugh, widow of the late Judge G. W. Kavanaugh,

Reported the same with a substitute, by way of amendment, to said bill.

Said amendment was adopted.

Ordered, That said bill, as amended, be engrossed and read a third time.

Said bill being engrossed, was read a third time as follows, viz:

WHEREAS, The late Judge G. W. Kavanaugh departed this life on the 18th November, 1870, while engaged upon his circuit as judge of the 7th Judicial District, leaving his family in a destitute and dependent condition; and whereas, there was a vacancy in said district from the death of Judge Kavanaugh to the 21st day of January, 1871, during which time no court was held in said district; therefore,

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the Auditor be, and he is hereby, directed to draw his warrant on the Treasurer for the amount of salary, which would have been due to Judge Kavanaugh, had he lived up to the 21st day of January, 1871, in favor of his widow, Mrs. Russell Kavanaugh, to be paid out of any money in the Treasury not otherwise appropriated.

§ 2. This act to take effect from and after its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon, in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Bunch),	H. G. Duerson,	Thomas H. Moss,
Wm. Adair,	M. W. Ferguson,	Edward Myall,
Ervin Anderson,	James P. Ford,	E. A. Pearson,
Wm. F. Barret,	Robert T. Glass,	Douglass L. Price,
Alpheus W. Bascom,	D. Hambleton,	G. W. Quick,
R. C. Beauchamp,	Ashton P. Harcourt,	Wm. S. Richart,
D. M. Bowen,	Ben. Hardin,	George W. Riddle,
Orlando C. Bowles,	J. B. Hays,	George W. Silvertooth,
Samuel W. Brents,	Elijah Hogan,	Robert Simmons,
E. Burr,	Wm. Irwin, sr.,	Henry H. Skiles,
Landon Carter,	George M. Jessee,	R. K. Smith,
J. S. Chrisman,	Alfred M. Jones,	R. M. Spalding,
James R. Claybrook,	James Kilgore,	Geo. W. Terrell,

Thomas T. Cogar,	Francis M. Lowe,	P. M. Thurmond,
I. B. Combs,	J. J. McAfee,	J. L. Waring,
R. L. Cooper,	James B. McCreary,	John F. Wight,
F. R. Davis,	George R. McKee,	L. Wilson,
Asbury Dawson,	James A. McKenzie,	John Wolf—55.
D. E. Downing,		

Those who voted in the negative, were—

Silas Adams,	James R. Hindman,	Alfred T. Pope,
W. W. Frazer,	Wm. J. McElroy,	A. D. Weller—8.
L. D. Good,	W. H. Pettus,	

Resolved, That the title of said bill be as aforesaid.

A message was received from the Senate, announcing that they had received official information that the Governor had approved and signed enrolled bills and a resolution, which originated in the Senate, of the following titles, viz:

An act to incorporate the town of Glasgow Junction and Mammoth Cave.

An act to amend the charter of the Paducah and Gulf Railroad Company.

An act to amend an act, entitled "An act to repeal section 3 of the charter of Catlettsburg."

An act to amend the charter of the Oakland Plank Road Company, of Jefferson county.

An act to amend the charter of the town of Harrodsburg.

Resolution in relation to claims against United States Government for tolls on Green and Barren river.

That they had concurred in the amendment proposed by the House of Representatives to an amendment proposed by the Senate to a bill, which originated in the House of Representatives, entitled

An act to take the sense of the people of this Commonwealth in regard to a conventional rate of interest.

The title of said bill was therefore changed so as to read,

An act to amend chapter 53 of the Revised Statutes, title "Interest and Usury."

And that they had passed bills of the following titles, viz:

1. An act to amend the charter of the town of Elizabethtown.

2. An act to amend the charter of the city of Covington.

Which were read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That they be referred—the 1st to the Committee on County Courts, and the 2d to the Committee on Circuit Courts.

A message was received from the Governor by Mr. Samuels, Assistant Secretary of State, announcing that he had approved and signed enrolled bills, which originated in the House of Representatives, of the following titles, viz :

An act to revise, digest, and compile the statute laws and Codes of Practice of Kentucky.

An act to establish a public school for colored children in the city of Henderson.

An act to establish a graded school at St. James, late Shelby College, in Shelbyville.

An act to amend an act, entitled "An act to amend an act, entitled 'An act to incorporate the town of Cloverport and Lower Cloverport into the town of Cloverport,'" approved March 5th, 1868.

An act to amend an act, entitled "An act to amend an act to incorporate the Kentucky Mining, Lumber, and Manufacturing Company."

An act for the benefit of Granville Evans, of Wolfe county.

An act to amend the first section of an act, entitled "An act to amend the charter of the Washington County Agricultural Society," approved February 20, 1868.

An act authorizing the trustees of school district No. 2, in Hickman county, to levy and collect a tax for school purposes.

An act to increase the jurisdiction of the mayor of the city of Dayton, in Campbell county.

Mr. McKenzie, from the Committee on Railroads, to whom was referred a bill from the Senate, entitled

An act to incorporate the Frankfort, Paris, and Big Sandy Railroad Company,

Reported the same without amendment.

On motion of Mr. Price, said bill was recommitted to the same committee, with instructions to report thereon on Tuesday next, at 10 o'clock, A. M.

Mr. Bowles, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the Senate, of the following titles, viz :

An act to amend the charter of the Smithfield and Ballardsville Turnpike Road Company;

An act to repeal an act declaring the Bayou DeChein a navigable stream;

An act to incorporate the Monterey and New Columbus Turnpike Road Company;

An act to incorporate the Abbott's Landing and Big Twin Creek Turnpike Road Company;

An act to incorporate the Eminence and Sulphur Fork Turnpike Road Company;

An act to amend an act, entitled "An act to provide for the incorporation and regulation of fire, marine, health, accident, live stock, and all other, except life insurance companies," approved March 12, 1870;

An act authorizing certain voters of Nelson county to vote a tax to aid in the construction of the Chaplain and Anderson Turnpike Road and the Ash Creek Turnpike Road;

An act for the benefit of the Cynthiana and Ashbrook's Mill Turnpike Road Company, in Harrison county;

An act to reduce into one the several acts in regard to the town of Somerset;

An act to amend the charter of the Danville and Pleasant Hill Turnpike Road Company;

An act to amend the charter of the Owenton and Clay Lick Turnpike Road Company;

An act declaring a portion of Round Stone creek, in Rockcastle county, navigable;

And also enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act for the benefit of John A. Wilson, clerk of the Fulton county court;

An act for the benefit of M. C. Hughes, late sheriff of Gallatin county;

An act to amend an act, entitled "An act to incorporate the Shelbyville Cemetery Company," approved March 1st, 1854;

An act for the benefit of J. S. Randall, of Whitley county;

An act to amend an act, entitled "An act to incorporate the Simpsonville and Antioch Turnpike Road Company;"

An act to amend an act, entitled "An act to amend an act, entitled 'An act to amend the charter of the Shelbyville Railroad Company, and to authorize certain counties to take stock in the same;'"

An act for the benefit of R. W. Stringer, of Livingston county;

An act for the benefit of Elijah Evans, of Jessamine county;

An act concerning the collection of claims of the State of Kentucky against the Federal Government;

An act to incorporate the Louisville Stock Yard Company;

And had found the same truly enrolled.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Bowles inform the Senate thereof.

The House then took up for consideration a resolution from the Senate, entitled

Resolution in relation to a final adjournment of the present session of the General Assembly.

Said resolution was read as follows, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That when the two Houses of the General Assembly adjourn on Tuesday, 14th inst., they will adjourn *sine die*.

Mr. Silvertooth moved the following amendment to said resolution, viz:

Strike out the figures "14th," and insert in lieu thereof the figures "22d."

And the question being taken on the amendment of Mr. Silvertooth, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Downing and McCreary, were as follows, viz:

Those who voted in the affirmative, were—

William Adair,	John Duvall,	Thomas H. Moss,
Silas Adams,	James P. Ford,	Edward Myall,
Wm. F. Barret,	W. W. Frazer,	E. A. Pearson,
D. M. Bowen,	Robert T. Glass,	Douglass L. Price,
Orlando C. Bowles,	Clinton Griffith,	G. W. Quick,
Samuel W. Brents,	Ashton P. Harcourt,	George W. Riddle,
E. Burr,	Ben. Hardin,	G. W. Silvertooth,
Landon Carter,	J. B Hays,	Robert Simmons,
James R. Claybrook,	T. H. Hays,	Henry H. Skiles,
Thomas T. Cogar,	Jas. R. Hindman,	R. K. Smith,
I. B. Combs,	Elijah Hogan,	R. M. Spalding,
R. L. Cooper,	Alfred M. Jones,	P. M. Thurmond,
Thomas H. Corbett,	John W. Kendall,	J. L. Waring,
F. R. Davis,	Francis M. Lowe,	John F. Wight,
Asbury Dawson,	J. J. McAfee,	S. M. Wrather,
J. C. DeMoss,	James A. McKenzie,	Hugh H. York—49.
Geo. R. Diamond,		

Those who voted in the negative, were—

Ervin Anderson,	M. W. Ferguson,	George R. McKee,
Alpheus W. Bascom,	L. D. Good,	W. H. Pettus,
J. F. Baugh,	D. Hambleton,	Alfred T. Pope,

Rob't C. Beauchamp, William Irwin, sr., William S. Richart,
J. S. Chrisman, James Kilgore, Geo. W. Terrell,
D. E. Downing, James B. McCreary, John Wolf—18.

Said resolution, as amended, was then concurred then.

Mr. McKenzie then moved to reconsider the vote by which said resolution was adopted.

And the question being taken thereon, it was decided in the negative.

The House took up from the orders of the day a bill, entitled

A bill for the benefit of Robert Gibbs.

The question was again taken on the passage of said bill, and it was decided in the affirmative.

Resolved, That the title thereof be as aforesaid.

Mr. Quick, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the Senate, of the following titles, viz:

An act for the benefit of the Commercial Bank of Kentucky and Farmers' Bank of Kentucky;

An act to authorize the Fayette county court to appropriate money;

And had found the same truly enrolled.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Quick inform the Senate thereof.

Mr. Adams, from the Committee on Claims, who were directed to prepare and bring in the same, reported

A bill for the benefit of M. H. Bronaugh.

Which was read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

Said bill being engrossed, was then read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the Auditor of Public Accounts be, and he is hereby, directed to draw his warrant upon the Treasurer in favor of M. H. Bronaugh, for the sum of $150, being the amount due said M. H. Bronaugh for lumber, &c., furnished the Western Lunatic Asylum of Kentucky.

§ 2. The sum hereby appropriated shall be paid out of the general appropriation made to the Western Lunatic Asylum.

§ 3. This act shall take effect from its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon, in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Bunch),	John Duvall,	Edward Myall,
William Adair,	M. W. Ferguson,	E. A. Pearson,
Silas Adams,	W. W. Frazer,	W. H. Pettus,
Ervin Anderson,	L. D. Good,	Alfred T. Pope,
Alpheus W. Bascom,	Clinton Griffith,	G. W. Quick,
J. F. Baugh,	D. Hambleton,	Wm. S. Richart,
Robt. C. Beauchamp,	Ashton P. Harcourt,	George W. Riddle,
D. M. Bowen,	Thomas H. Hays,	George W. Silvertooth,
Orlando C. Bowles,	James R. Hindman,	Robert Simmons,
Samuel W. Brents,	Elijah Hogan,	Henry H. Skiles,
E. Burr,	William Irwin, sr.,	R. K. Smith,
Landon Carter,	Alfred M. Jones,	Richard M. Spalding,
J. S. Chrisman,	John W. Kendall,	George W. Terrell,
James R. Claybrook,	James Kilgore,	P. M. Thurmond,
Thos. T. Cogar,	Francis M. Lowe,	J. L. Waring,
I. B. Combs,	J. J. McAfee,	A. D. Weller,
R. L. Cooper,	James B. McCreary,	John F. Wight,
F. R. Davis,	William J. McElroy,	John Wolf,
Asbury Dawson,	George R. McKee,	S. M. Wrather,
J. C. DeMoss,	James A. McKenzie,	Hugh H. York—61.
D. E. Downing,		

In the negative—none.

Resolved, That the title of said bill be as aforesaid.

Mr. Frazer, from the Committee on Charitable Institutions, who were directed to prepare and bring in the same, reported

A bill to appropriate money to the Western Lunatic Asylum.

Which was read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

Said bill being engrossed, was then read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the sum of $5,500 be, and the same is hereby, appropriated to the Western Lunatic Asylum of Kentucky, to purchase a range and other cooking apparatus; to pay for twenty-seven and a half acres of land, at $45 12 per acre, bought by said Asylum; to furnish chapel with seats, and to supply necessary furniture for the wards of said Asylum.

§ 2. This act to take effect from its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon, in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Bunch),	James P. Ford,	George R. McKee,
Silas Adams,	W. W. Frazer,	James A. McKenzie,
Ervin Anderson,	R. T. Glass,	Thomas H. Moss,
Alpheus W. Bascom,	L. D. Good,	E. A. Pearson,
J. F. Baugh,	Clinton Griffith,	W. H. Pettus,
R. C. Beauchamp,	D Hambleton,	Alfred T. Pope,
D. M. Bowen,	A. P. Harcourt,	Douglass L. Price,
Orlando C. Bowles,	Ben. Hardin,	William S. Richart,
Samuel W. Brents,	J. B. Hays,	George W. Riddle,
E. Burr,	T. H. Hays,	Robert Simmons,
Landon Carter,	James R. Hindman,	Henry H. Skiles,
Jas. R. Claybrook,	Elijah Hogan,	R. K. Smith,
Thomas T. Cogar,	William Irwin, sr.,	Geo. W. Terrell,
I. B. Combs,	Alfred M. Jones,	P. M. Thurmond,
R. L. Cooper,	John W. Kendall,	J. L. Waring,
F. R. Davis,	James Kilgore,	John F. Wight,
J. C. DeMoss,	Francis M. Lowe,	John Wolf,
John Duvall,	J. J. McAfee,	S. M. Wrather,
M. W. Ferguson,	William J. McElroy,	Hugh H. York—57.

Those who voted in the negative, were—

William Adair,	James B. McCreary,	Geo. W. Silvertooth,
Asbury Dawson,	Edward Myall,	A. D. Weller—8.
D. E. Downing,	G. W. Quick,	

Resolved, That the title of said bill be as aforesaid.

A message was received from the Senate, announcing that they had passed a bill, which originated in the House of Representatives, entitled

An act for the benefit of Mrs. Russell Kavanaugh, widow of the late Judge G. W. Kavanaugh,

And that they had passed a bill, entitled

An act to exclude Crab Orchard Springs from the limits of Crab Orchard.

Which was read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be referred to the Committee on County Courts.

Mr. Duvall, from the Committee on County Courts, to whom was referred a bill from the Senate, entitled

An act authorizing the county court judge of Madison county to grant a license to Richard H. Lamb to retail ardent spirits,

Reported the same without amendment.

Ordered, That said bill be read a third time.

Said bill was then read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the county court judge of the county of Madison be, and he is hereby, authorized to grant a license to Richard H. Lamb, to retail ardent spirits as a tavern-keeper, without being required to keep a tavern: *Provided*, That the said Lamb shall pay the tax now required by law for the privilege of retailing spirituous liquors.

§ 2. That the said Richard H. Lamb shall be subjected to all the pains and penalties now provided by law for tippling, or in anywise keeping a disorderly house.

§ 3. That this act shall be in force from its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. E. Anderson and Barret, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Bunch),	J. C. DeMoss,	G. W. Little,
Alpheus W. Bascom,	George R. Diamond,	J. J McAfee,
Robert C. Beauchamp,	John Duvall,	James B. McCreary,
D. M. Bowen,	Clinton Griffith,	Thomas H. Moss,
Orlando C. Bowles,	D Hambleton,	Douglass L. Price,
Samuel W. Brents,	Elijah Hogan,	R. K. Smith,
Landon Carter,	Alfred M. Jones,	Richard M. Spalding,
James R. Claybrook,	James Kilgore,	P. M. Thurmond,
Thomas T. Cogar,	Francis M. Lowe,	L. Wilson—28.
I. B. Combs,		

Those who voted in the negative, were—

Ervin Anderson,	J. B. Hays,	William S. Richart,
Wm. F. Barret,	T. H. Hays,	Henry H. Skiles,
J. F. Baugh,	Jas. R. Hindman,	J. L. Waring,
E. Burr,	William J. McElroy,	A. D. Weller,
Asbury Dawson,	James A. McKenzie,	John F. Wight,
D. E. Downing,	Edward Myall,	John Wolf,
W. W. Frazer,	Alfred T. Pope,	Hugh H. York—23.
Ashton P. Harcourt,	G. W. Quick,	

Resolved, That the title of said bill be as aforesaid.

Bills from the Senate were each reported with amendments thereto, by the committees to whom they had been referred, of the following titles, viz:

By Mr. Duvall, from the Committee on County Courts—

An act for the benefit of A. C. Cox, late sheriff of Green county.

By same—

An act to authorize and provide for the erection of a new court-house and clerks' offices in Fayette county.

Said amendments were adopted.

Ordered, That said bills be read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Duvall, from the Committee on County Courts, to whom was referred a bill from the Senate, entitled

An act to print sheriffs and master commissioners' advertisements of land sales in Carroll county, in paper printed in said county,

Reported the same without amendment.

The question was then put, "Shall the bill be read a third time?" and it was decided in the negative.

And so said bill was disagreed to.

Mr. Duvall, from the Committee on County Courts, to whom was referred a bill from the Senate, entitled

An act to amend the law in relation to county judges, approved February 13, 1858,

Reported the same without amendment.

Ordered, That said bill be placed in the orders of the day.

Bills from the Senate were reported, without amendment, by the committees to whom they had been referred, of the following titles, viz:

By Mr. Simmons, from the Committee on Ways and Means—

An act for the benefit of Wm. E. Clelland, sheriff of Mercer county.

By Mr. Cogar, from the Committee on Internal Improvement—

An act amending an act, entitled "An act to amend an act incorporating the Bardstown and Bloomfield Turnpike Road Company."

By same—

An act incorporating the Bloomfield and Bardstown Turnpike Road Company.

By same—

An act incorporating the Bardstown and Shepherdsville Turnpike Road Company.

By Mr. Duvall, from the Committee on County Courts—

An act to authorize the Union county court to appoint a sheriff for said county.

By Mr. Myall, from the Committee on Religion—

An act to prohibit the sale of intoxicating liquors in Sonora, in Hardin county.

By Mr. Duvall, from the Committee on County Courts—

An act to amend the charter of the town of Elizabethtown.

By same—

An act for the benefit of turnpike roads in Bath county.

By same—

An act concerning the advertisement of sheriffs' and commissioners' sales of land in Bath county.

By same—

An act to authorize the county court of Butler county to issue bonds to raise the necessary funds to build a court-house.

By same—

An act to authorize and empower the county court of McLean county to levy an additional tax, and to issue county bonds to build a new court-house and jail, and for other purposes.

By same—

An act to amend the road law of Henderson, Union, Taylor, and Grayson counties.

By same—

An act for the benefit of S. S. McFatridge, late sheriff of Mercer county.

By same—

An act to change the time of holding the quarterly and county courts in the county of Green.

By same—

An act for the benefit of the Mercer county court.

By same—

An act to authorize the county court of Taylor county to sell a part of the court-house lot in Campbellsville for certain purposes.

By same—

An act to authorize the sale of the poor-house property in Boyle county, and to reinvest the proceeds in a more suitable place in said county.

By same—

An act to vest the trustees of Cave City with additional powers.

By same—

An act for the benefit of Johnson county.

By same—

An act to change the time of holding the Warren quarterly court.

Ordered, That said bills be read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Bills were reported by the several committees, who were directed to prepare and bring in the same, of the following titles, viz:

By Mr. Duvall, from the Committee on County Courts—

A bill authorizing the county court for the county of Muhlenburg to release James C. Moorman from his bond, whereby a negro girl, Caroline, was apprenticed to him.

By Mr. Silvertooth, from the Committee on Circuit Courts—

A bill to authorize the Pendleton county court to borrow money for certain purposes.

By same—

A bill to legalize certain acts of the Pendleton county court.

By Mr. Chrisman, from the Committee on Claims—

A bill for the benefit of John E. Walton, of Boone county.

By same—

A bill for the benefit of Nelson Whitaker, of Mason county.

By Mr. Thurmond, from the Committee on County Courts—

A bill to amend an act, entitled "An act to amend the 3d section, 2d article, 32d chapter, of the Revised Statutes," approved February 16, 1858.

By Mr. Cogar, from the Committee on Internal Improvement—

A bill to amend the charter of the Richmond and Big Hill Turnpike Road Company.

By Mr. Adams, from the Committee on Claims—

An act for the benefit of Wm. D. Dye, of Lincoln county.

By same—

A bill for the benefit of N. B. Campbell, of Josh Bell county.

By same—

A bill for the benefit of John M. Fish, of Rockcastle county.

By Mr. Combs, from the Committee on Propositions and Grievances—

A bill to extend the corporate limits of the town of Hazelgreen, in Wolfe county.

By Mr. Duvall, from the Committee on County Courts—

A bill for the benefit of A. C. Kincheloe, of Spencer county.

By same—

A bill authorizing the county court of Spencer county to levy a tax in aid of turnpikes.

By same—

A bill to regulate the selling of vinous, malt, or other intoxicating liquors within Elk creek precinct, in Spencer county.

By same—

A bill authorizing Washington county court to levy an ad valorem tax of not exceeding twenty cents on the one hundred dollars, to pay the indebtedness of the county on account of turnpike roads.

By same—

A bill to establish an additional voting precinct in Washington county.

By same—

A bill for the benefit of Washington county.

By same—

A bill authorizing the county court of Christian and Allen counties to establish additional voting places in said counties.

By same—

A bill authorizing the county court of Washington county to construct a bridge across the Little Beech in said county, and to provide for the payment of same.

By same—

A bill granting to C. V. Pierce, of Daviess county, coffee-house privileges.

By Mr. Thurmond, from the same committee—

A bill increasing the common law jurisdiction of the police court of the town of Uniontown, in Union county.

By same—

A bill for the benefit of James Faircloth, of Mercer county.

By same—

A bill to amend an act, entitled "An act for the benefit of the county of Morgan," approved January 17, 1867.

By same—

A bill appointing commissioners to settle with the county judges of the counties of Knox and Josh Bell in relation to the tolls received by them from gate-keepers on the Wilderness Turnpike Road.

By same—

A bill to change the boundary of the Benson precinct, in Franklin county.

By same—

A bill to authorize the trustees of the town of Cloverport to sell and convey parts of certain streets.

By same—

A bill to authorize the county court of Scott county to increase its subscriptions to turnpike roads.

By same—

A bill authorizing the judge of the Spencer county court to appoint trustees for the town of Taylorsville when vacancies occur.

By same—

A bill for the benefit of the levy court of Henry county.

By Mr. Duvall, from the same committee—

A bill to provide for the collection of railroad tax in Montgomery county.

By same—

A bill to authorize Thos. B. McGowan, jailer of Fayette county, to appoint a deputy jailer.

Which were read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

And then the House adjourned.

MONDAY, MARCH 13, 1871.

Leave was given to bring in the following bills, viz:

On motion of Mr. Lowe—

1. A bill to authorize the trustees of the town of Falmouth to appropriate the revenue or income from the town derived from taxes, license, &c., for one year, to aid in the erection of an addition to the Pendleton Seminary.

On motion of Mr. Riddle—

2. A bill to enable the counties of Union, Crittenden, Caldwell, Webster, and Hopkins counties, to improve Tradewater river.

Ordered, That the Committee on Education prepare and bring in the 1st, and a select committee, consisting of Messrs. Richart, Thurmond, Cogar, Brents, Price, and Wilson, the 2d.

A message was received from the Governor by Mr. Samuels, Assistant Secretary of State, announcing that he had approved and signed an enrolled bill, which originated in the House of Representatives, entitled

An act to incorporate the Louisville Stock Yard Company.

A message was received from the Senate, announcing that they had received official information that the Governor had approved and signed enrolled bills, which originated in the Senate, of the following titles, viz:

An act for the benefit of Haly & Brawner.

An act to incorporate the Kentucky Statesman Printing Company.

An act to amend an act, entitled "An act to amend and reduce into one all acts in relation to the incorporation of the town of Morgantown."

An act to incorporate the Louisville Railway Transfer Company, and conferring certain powers in relation thereto on the Louisville, Cincinnati and Lexington, and Louisville and Nashville Railroad Companies.

An act for the benefit of Thomas Cook, James Root, John E. White, and Howell Brewer.

An act to amend an act, approved March 15, 1869, entitled "An act to authorize the sale and conveyance of certain lands and personalty belonging to the State on Licking river."

An act to incorporate a Steam Ferry Company at the mouth of the Ohio river, in Ballard county.

An act to amend the charter of Bowling Green.

An act to amend the charter of the town of Cromwell, in Ohio county.

An act to amend and reduce into one the several acts relating to the charter and amendments thereto of the town of Mt. Sterling.

An act to amend the charter of the town of Midway.

With amendments to the last five named bills.

And that they had passed bills of the following titles, viz:

1. An act to authorize and empower the Bedford Division, Sons of Temperance, to sell and convey its real estate.

2. An act to further increase the resources of the sinking fund of the city of Louisville.

3. An act concerning the city court of Louisville.

4. An act to provide for the settlement of the accounts of Jordan Clark and Thomas P. Smith, late receiver of the Louisville chancery court.

5. An act for the benefit of the Southern Stock Yard Company.

6. An act for the benefit of Logan county.

7. An act to prohibit judges from practicing law.

8. An act to incorporate the town of Smith's Grove, in Warren county.

9. An act to amend the charter of the Bowling Green Water-works Company.

10. An act to incorporate the Grayson Springs and Grayson Springs Station Turnpike Road Company, in Grayson county.

11. An act to prevent justices of the peace, in Kenton county, from holding inquests in certain cases.

12. An act for the benefit of the Franklin Library, of Covington.

13. An act prohibiting the sale of spirituous liquors in Josh Bell connty.

14. An act to amend the charter of the Elizabethtown and Tennessee Railroad Company.

15. An act to amend the charter of the Hartford Railroad and Mining Company.

16. An act to amend an act, entitled "An act to incorporate the Cincinnati, Covington, and Cumberland Gap Railroad Company," approved March 11th, 1867.

17. An act to incorporate the Bowling Green, Glasgow, and Greensburg Railroad Company.

18. An act to incorporate the Bowling Green and Madisonville Railroad Company.

Which were read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That they be referred—the 1st to the Committee on Circuit Courts; the 2d, 3d, 4th, 7th, and 11th to the Committee on the Judiciary; the 5th, 8th, and 9th to the Committee on Corporate Institutions; the 6th to the Committee on County Courts; the 10th to the Committee on Internal Improvement; the 12th to the Committee on Education; the 13th to the Committee on Religion; and the 14th, 15th, 16th, 17th, and 18th to the Committee on Railroads.

Mr. Bowles, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the Senate, of the following titles, viz:

An act to attach the county of Martin to the 16th judicial district;

An act to repeal an act, entitled "An act to re-enact an act, entitled 'An act regulating the time of holding the circuit courts,' approved March 5, 1866," approved February 25, 1870;

An act to provide for the erection of a warehouse for the Kentucky Penitentiary, and to appropriate funds for its erection and completion;

An act to amend an act, entitled "An act to incorporate a Savings and Deposit Bank in Elkton, in Todd county;"

An act to amend the charter of the Warren Deposit Bank;

An act to change the time of holding the circuit courts of Pulaski county, in the 8th judicial district;

An act to amend an act, entitled "An act to amend the charter of the town of Danville," approved February 17, 1871;

And also enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to amend an act, entitled "An act to revise, amend, and reduce into one the laws relating to the common schools of Kentucky;"

An act exempting salt wagons from payment of toll on the Wilderness Turnpike Road, in the counties of Knox and Josh Bell;

An act to amend an act, entitled "An act transferring portions of the Elizabethtown and Bell's Tavern Turnpike Road to the counties of Hardin, Hart, and Barren," approved December 23, 1861;

An act to protect bridges over Licking river, in Pendleton county;

An act to organize and establish a system of public schools in the city of Owensboro, for white children in said city;

An act to incorporate the Glasgow, Edmonton, and Burksville Turnpike Road Company;

An act to repeal an act, entitled "An act to change the road law in Kenton county," approved February 16, 1870;

An act for the benefit of George Robertson, of Casey county;

An act to incorporate the Maux Branch Turnpike Road Company;

An act to regulate the collection of tolls on such parts of the Russell Turnpike Road, in Fayette county, and the Centerville and Jacksonville Turnpike Road, as are now without gates;

An act for the benefit of James F. Carson, of Rockcastle county;

An act for the better organization of public schools in the city of Lexington;

An act for the benefit of common school district No. 26 (Carlisle district), in Nicholas county;

An act to allow the county court of Marshall county to purchase Stanton's Treatise;

An act to amend an act, entitled "An act to amend and re-enact an act to authorize common school district No. 7, in Washington county, to levy a tax for school purposes, approved March 11, 1867," approved February 3, 1870;

An act for the benefit of the common school districts in Clinton county;

An act for the benefit of school district No. 6, in Robertson county;

An act for the benefit of Mrs. Russell Kavanaugh, widow of the late Judge G. W. Kavanaugh;

An act for the benefit of the sureties of Young E. Hurt, late sheriff of Adair county;

An act for the benefit of E. M. Flack, sheriff of Todd county;

An act for the benefit of Barren county;

An act to authorize Garred Ratliffe to erect a boom across Rockcastle creek, in Lawrence county;

An act to amend an act, entitled "An act for the improvement the Big Sandy river," approved February 10, 1870;

An act to require turnpike road companies in Lewis county to make annual settlements with the county judge;

An act declaring Grassy creek, in Morgan county, a navigable stream;

An act to amend the charter of the Board of Education of the Louisville Annual Conference of the Methodist Episcopal Church, South, approved January 25, 1867;

An act to incorporate the Frenchburg and Jeffersonville Turnpike Road Company;

An act authorizing the county court of Christian and Allen counties to establish additional voting places in said counties;

And had found the same truly enrolled.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Bowles inform the Senate thereof.

The House again took up a resolution from the Senate, entitled

Resolution to print report of engineer of Big Sandy river.

Said resolution, being again read, was concurred in.

The Speaker laid before the House an additional response of the Commissioner of Insurance to resolutions heretofore adopted by both Houses, which was taken up and read as follows, viz:

INSURANCE BUREAU OF KENTUCKY,
OFFICE OF INSURANCE COMMISSIONER,
FRANKFORT, March 13, 1871.

Hon. JOHN T. BUNCH, *Speaker of the House of Representatives:*

I herewith transmit, as an additional response to the joint resolution of February 25th, a report made to me by Mr. Thomas Carter, special agent sent to obtain specific answers to the several interrogatories contained in the resolution from the Receivers of the Hope, Globe, and Kentucky Insurance Companies.

Very respectfully,

GUSTAVUS W. SMITH,
Insurance Commissioner.

FRANKFORT, KY., March 13, 1871.

Gen. GUSTAVUS W. SMITH, *Insurance Commissioner for the State of Kentucky:*

In compliance with your instructions, I proceeded to Louisville on the evening of the 9th inst., and have obtained the information you

desired from the Hope, Globe, and Kentucky Insurance Companies, of Louisville.

The result of my labors you will find in the following questions, propounded to the Receivers, and their answers.

I would further state, that the answers herewith given fully accord with the books of each company.

Question 1. Amount of policies outstanding in each company.

Answer from Hope:

When the Receiver made his first report to the Chancellor, Septem 23d, 1869, the amount of policies were as follows:

Mutual policies	$2,791,176 13
Annual policies	1,822,414 89
Term policies (over one year)	482,062 33
Total	$5,095,653 34

Answer from Globe: $2,670,450.

Answer from Kentucky:

July 10th, 1868, the estimate made to the Court, $11,929,932. The policies of this company were all canceled June 1st, 1870, by the Court.

Question 2. Amount of premium notes held by each company.

Answer from Hope:

Amount on the books June 1st, 1869, were:

Mutual notes	$188,530 66
Annual notes	74,397 39
Cash notes	8,560 20
Given by agents for money collected	2,094 65
Total	$273,582 90

Answer from Globe:

When the Receiver was appointed the amount of notes were:

Deposit premium notes	$87,771 62
Cash premium notes	18,842 45
Annual premium notes	2,051 59
Total	$107,665 66

Answer from Kentucky:

Premium notes	$223,398 86
Annual notes	68,096 40
Cash notes	18,092 10
Total	$309,577 36

Question 3. When all the policies in each company expire.

Answer from Hope:

All the policies were canceled June 1st, 1870. The majority of them would have expired in 1872 and 1873. Six policies, amounting to $6,900, would have expired in 1875.

Answer from Globe:

Most of them expire in 1872; a few in 1873; and the last one July 15th, 1873.

Answer from Kentucky:

The last one would have expired in 1873.

Question 4. Amount of money collected from policy-holders in each company since appointment of Receivers.

Answer from Hope:

Total amount to March 9th, 1871, $44,570 96.

Answer from Globe:

Amount to March 1st, 1871, $19,273 65.

Answer from Kentucky:

Amount to January 31st, 1871, $90,309 54.

Question 5. Amount of losses adjusted and unpaid at the time the Receivers were appointed.

Answer from Hope:

The amount, including interest, to the date of first payment, was $5,550 90. Only 75 per cent. of the above has been paid; the balance will be paid when the Chancellor so orders.

Answer from Globe:

Amount of losses (none yet allowed)	$25,130 87
Amount of losses contested	9,136 50
Total	$34,267 37

Answer from Kentucky:

Amount of losses, $15,894 88.

Question 6. Amount of last call on policy-holders.

Answer from Hope:

Fifteen per cent. made July 1st, 1868, $31,214 52. No assessment since the affairs have been in court.

Answer from Globe:

Average of 70 per cent. about January 7th, 1870	$42,512 62
Of which is collected	15,548 47
Leaving uncollected	$26,964 15

Answer from Kentucky:

Eighteen per cent., December 10th, 1870; expected to realize $30,000.

Question 7. Amount of losses incurred by each company since Receivers were appointed.

Answer from Hope.

Whole amount of losses	$20,754 00
Allowed by the Chancellor	8,475 00
Not allowed	$12,279 00

Some of these claims have not been submitted to the Chancellor; others were not allowed because they occurred after the policies were canceled, or on account of the premiums never having been paid.

Answer from Globe:

Amount of losses, $3,328.

Answer from Kentucky:

Amount of losses, $20,030 42.

Question 8. Amount paid policy-holders for losses since Receivers were appointed.

Answer from Hope:

Amount paid, $10,930 80.

Answer from Globe:

Nothing.

Answer from Kentucky:

Paid to January 31st, 1871, $38,089 63.

Question 9. Amount paid out to clerks, lawyers, and other persons not policy-holders.

Answer from Hope:

To Clerk Chancery Court	$7,706 20
To clerks, lawyers, and other creditors	8,500 56
Receiver's allowances	7,950 00
Office expenses, rent, stationery, &c.	940 97
Total	$25,097 73

Answer from Globe:

Clerk Chancery Court	$3,018 70
Sundry sheriffs	394 95
Receiver's allowances	3,178 74
Clerks' services	1,227 80
Office expenses, rents, stationery, &c.	949 53
Total	$8,769 72

Answer from Kentucky:

To general creditors	$2,969 96
For adjusting losses	127 15
Rent under lease made prior to the repeal	2,119 14
Fees to sheriffs	2,073 82
Clerk Chancery Court	15,284 15
Attorney for the Trust	5,500 00
Attorney for policy-holders	200 00
Salary of Receiver since July 6th, 1868, $3,000	7,500 00
Collected on *fi. fas.* quashed	372 64
Salaries of Clerks of Receiver	7,320 00
Office expenses, gas, stationery, &c.	2,988 41
Total	$46,445 27

Question 10. Amount of money of each company now in hands of Receivers.

Answer from Hope:

Cash on hand, $8,542 43.

Answer from Globe:

Cash on hand March 1st, 1871, $10,202 61.

Answer from Kentucky:

Cash on hand January 31st, 1871, $9,139 46.

Question 11. Amount of adjusted losses unpaid.

Answer from Hope:

Due on losses, $3,643 60.

Answer from Globe:

Amount due, $28,458 87.

Answer from Kentucky:

Amount is $22,607 40.

All of which is respectfully submitted.

THOMAS CARTER.

FRANKFORT, March 13, 1871.

Ordered, That the usual number of copies thereof be printed for the use of this General Assembly.

Leave of absence, indefinitely, was granted Messrs. Wrather, Corbett, Bright, and York.

Mr. Burr, from the Committee on Corporate Institutions, to whom was recommitted a bill from the Senate, entitled

An act to amend the charter of the town of Flemingsburg,

Reported the same without amendment, and without the expression of opinion thereon.

Mr. Davis moved to place said bill in the orders of the day.

And the question being taken on said motion, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Hardin and Davis, were as follows, viz:

Those who voted in the affirmative, were—

Alpheus W. Bascom,	D. Hambleton,	E. A. Pearson,
Robert C. Beauchamp,	Ashton P. Harcourt,	Alfred T. Pope,
Orlando C. Bowles,	Ben. Hardin,	G. W. Quick,
Jesse D. Bright,	J. B. Hays,	George W. Terrell,
Thomas T. Cogar,	Wm Irwin, sr.,	P. M. Thurmond,
I. B. Combs,	James Kilgore,	J. L. Waring,
R. L. Cooper,	G. W. Little,	John F. Wight,
F. R. Davis,	Thomas H. Moss,	John Wolf,
J. C. DeMoss,	Edward Myall,	Hugh H. York—28.
L. D. Good,		

Those who voted in the negative, were—

Mr. SPEAKER (Bunch),	D. E. Downing,	James A. McKenzie,
William Adair,	John Duvall,	W. H. Pettus,
Silas Adams,	Elijah Hogan,	George W. Riddle,
William F. Barret,	R. E. Humphrey,	George W. Silvertooth,
J. F. Baugh,	George M. Jessee,	Robert Simmons,
D. M. Bowen,	Alfred M. Jones,	Henry H. Skiles,
Samuel W. Brents,	Francis M. Lowe,	R. K. Smith,
E. Burr,	J. J. McAfee,	Richard M. Spalding,
James R. Claybrook,	James B. McCreary,	W. J. Webb,
Asbury Dawson,	Wm. J. McElroy,	S. M. Wrather—30.

The question was then put, "Shall the bill be read a third time?" and it was decided in the negative.

And so said bill was disagreed to.

The House then took up the amendments proposed by the Senate to bills, which originated in the House of Representatives, of the following titles, viz:

An act to authorize the city of Dayton, in Campbell county, to establish a common school system.

An act for the benefit of manufacturing, furnace, and mining establishments in the counties of Greenup, Boyd, Carter, and Lawrence.

An act for the benefit of E. B. Treadaway, former sheriff of Owsley county.

An act to incorporate Odd Fellows' Hall Company in the town of Nicholasville.

An act for the benefit of Thos. Monarch, late tax collector of Daviess county.

An act to prohibit the sale of spirituous, vinous, and malt liquors in the village of Paint Lick, Garrard county.

An act to prevent the sale of spirituous, vinous, or malt liquors in the county of Jackson.

Said several amendments were concurred in.

The House took up for consideration a bill, entitled

A bill to provide for the inspection of steam boilers, and the better protection of life and property against accidents arising from steam boiler explosions.

Mr. Dawson moved to amend said bill by adding at the end of the 5th line of the 18th section, these words: *Provided*, That this act shall not apply to the county of Simpson.

Mr. Bowles moved to amend the amendment moved by Mr. Dawson, by adding thereto the words: Pike, Floyd, Boyd, Carter, Johnson, Letcher, Greenup, Lawrence, Madison, Monroe, Christian, Marion, Warren, Bourbon, Garrard, Boyle, Spencer, Bullitt, Bath, Menifee, Pulaski, and Hart.

Mr. Irwin then moved to lay said bill and amendments on the table.

And the question being taken on said motion, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Irwin and Dawson, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Bunch),	D. E. Downing,	Edward Myall,
William Adair,	John Duvall,	W. H. Pettus,
Silas Adams,	Clinton Griffith,	Alfred T. Pope,
Ervin Anderson,	D. Hambleton,	G. W. Quick,
W. F. Barret,	J. B. Hays,	G. W. Silvertooth,
Alpheus W. Bascom,	William Irwin, sr.,	Robert Simmons,
Robert C. Beauchamp,	John W. Kendall,	Henry H. Skiles,
Orlando C. Bowles,	James Kilgore,	R. M. Spalding,
Samuel W. Brents,	James B. McCreary,	P. M. Thurmond,
E. Burr,	William J. McElroy,	J. L. Waring,
J. S. Chrisman,	George R. McKee,	L. Wilson,
James R. Claybrook,	James A. McKenzie,	S. M. Wrather,
Asbury Dawson,	Thomas H. Moss,	Hugh H. York—40.
George R. Diamond,		

Those who voted in the negative, were—

D. M. Bowen,	L. D. Good,	Joshua B. Parks,
Jesse D. Bright,	Ashton P. Harcourt,	E. A. Pearson,
Landon Carter,	Ben. Hardin,	George W. Riddle,
Thomas T. Cogar,	T. H. Hays,	R. K. Smith,
I. B. Combs,	James R. Hindman,	George W. Terrell,
F. R. Davis,	Elijah Hogan,	W. J. Webb,
J. C. DeMoss,	Alfred M. Jones,	John F. Wight,

M. W. Ferguson, Francis M. Lowe, John Wolf—26.
Robert T. Glass, G. W. Little,

And so said bill was laid on the table.

Said bill reads as follows, viz :

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the Governor of said State shall, within thirty days after the passage of this act, appoint a supervising inspector, who shall be a theoretical and practical engineer, and who shall hold his office for the term of three years, unless sooner removed for cause.

§ 2. That the supervising inspector shall appoint a local inspector in each Congressional District of this State, who shall also be a theoretical and practical engineer, and who shall hold his office for the term of three years, unless sooner removed by the supervising inspector for cause.

§ 3. That the supervising inspector shall have a general supervision and control of the said local inspectors, and it shall be his duty to see that the provisions of this act are promptly and faithfully complied with. He shall also furnish to each local inspector a hydrostatic pump, and such other appliances as may be necessary for the purpose of testing and examining boilers. He shall also furnish rules and regulations to govern said local inspectors in the performance of their duties, and shall furnish each local inspector with the necessary forms, blanks, and blank books, required by the provisions of this act; he shall keep a correct record of all inspections of steam boilers, and of the amount of steam or pressure allowed in each case, and of the amount of solid water required to be kept in each boiler, as the same may be reported to him by the said local inspectors; which record shall be the property of the State, and shall be filed in the office of the Secretary of the State, and reported to the Governor annually. The expense of furnishing apparatus and appliances for the purpose of inspecting steam boilers as hereinbefore prescribed, and of furnishing forms, blanks, and blank books, shall be borne by the State, and paid in the same manner as other State charges and expenses are paid; but no such bill or charge shall be paid unless the same be certified as correct by the supervising inspector.

§ 4. That the owner or controller of any steam boiler or boilers, in use, and situated in this State, shall, within thirty days after the passage of this act, and annually thereafter, notify the local inspector of the district in which the same may be of the location of such boiler; and thereupon, and as soon thereafter as practicable, the said local inspector shall proceed to inspect such boiler or boilers, and all appurtenances and appliances therewith connected; and the strength and security of each boiler shall be tested with a hydrostatic pump; and the said local inspector shall limit the amount of pressure or steam to be applied to such boiler or boilers, and shall certify to such inspection and limit of pressure to such owner or controller thereof, and no greater amount of pressure than that certified shall be applied to such boiler or boilers; in limiting the amount of pressure, whenever the boiler under test will with safety bear the same, the limit desired by the owner or controller shall be the one certified, and the hydro-

static test shall not be greater than one fourth above the working pressure allowed; and such local inspector shall satisfy himself that the safety-valve or valves are well arranged, in good working order, and of the number and sizes required by this act; he shall place the weight on the safety-valve lever at a point where steam will blow at the prescribed limit of working pressure allowed. The local inspector shall require that there be attached to every boiler or battery of boilers a reliable safety-valve or safety-valves: *Provided*, No safety-valve shall be less than two inches in diameter; and for batteries of two boilers, one safety-valve not less than two and one half inches in diameter; and for batteries of three boilers, one safety-valve not less than three inches in diameter, or two safety-valves two inches in diameter each; and for batteries of four boilers, two safety-valves not less than two and one half inches in diameter each; and for batteries of five boilers, three safety-valves of not less than two and one half inches in diameter each: *And provided further*, That said safety-valve or safety-valves shall fulfill all the conditions now adopted by the board of supervising inspectors of the United States in reference to lock-up valves. And there shall also be attached to every boiler a reliable water gauge or low water indicator, and in either case so constructed as to give alarm at the prescribed low water line; and no spring-loaded piston, or balance valve, shall be used except on locomotive boilers.

§ 5. That when the inspection in detail is completed, and the local inspector approves of such boiler or boilers, he shall make a record of such inspection, in a book to be provided for that purpose, as follows, to-wit: The number of boilers, and the form and dimension of each; whether each boiler has been tested by hydrostatic test, the amount of pressure to the square inch in pounds applied to it, the amount allowed as the maximum pressure, the amount of solid water required to be kept in it, the number and size of safety-valves, force pumps, supply pipes, and steam pipes, also the number of water gauges and low water indicators; and shall further certify that the equipment throughout is in conformity with the provisions of this act. The local inspector in each instance shall give a copy of such inspection to the owner or controller of such boiler or boilers.

§ 6. That it shall be unlawful for any person to use a boiler or boilers, for the purpose of generating steam, without first having the same inspected, according to the provisions of this act; and if any such boiler or boilers be so used, the owner or controller thereof shall forfeit and pay a penalty of two hundred dollars

§ 7. That if the owner or controller of any boiler fail to have the same ready for inspection at the time appointed for its inspection, he shall be liable to pay the fees and expenses incurred in the inspection of any such boiler, and five dollars in addition thereto; and in case the owner or controller of any boiler shall fail to report the location thereof, as provided in the fourth section of this act, he shall forfeit and pay a penalty of twenty-five dollars. In case the local inspector shall fail to make the inspection at the time specified, he shall be liable to the owner or controller of such boiler for all damages sustained

by reason of such failure: *Provided*, That if through unavoidable accident the owner or controller of such boiler fails to have the same ready for inspection, or for the same reason the inspector fails to make his inspection, no such penalty for damages shall lie on either side.

§ 8. That in case the owner or controller of any boiler shall consider himself aggrieved by the decision of the local inspector, condemning or requiring repairs to be made on any boiler, under the provisions of this act, such owner or controller may take an appeal at any time within thirty days to the supervising inspector, who shall at once order a board of examiners, consisting of the local inspector and two practical engineers, one of whom to be selected by the local inspector and the other by the owner or controller of such boiler. Said board shall proceed at once to inspect such boiler, and make a report of the same in writing; and if the owner or controller considers himself aggrieved by the decision of the board of examiners, he shall at once appeal to the supervising inspector, who shall within ten days inspect such boiler in person, and his decision shall be final: *Provided, however*, That the expenses of said supervising inspector be paid by the owner or controller of such boiler, and also three dollars per day for each examiner, unless, however, the decision of the local inspector should be reversed, either by the board of examiners or supervising inspector, in either of which cases the owner or controller shall only be required to pay the regular fees of inspection prescribed by the provisions of this act; and the owner or controller shall also be liable for any damage done to persons or property which shall occur by reason of any defects indicated by the local inspector, while the same remains unreversed by the board of examiners or supervising inspector.

§ 9. That the owner or controller of any boiler shall pay the supervising or local inspector, for testing and inspecting such boiler, five dollars, and one dollar for the certificate of inspection; and if there should be two or more boilers used at the same time and connected with water and steam pipes, there shall be an additional charge of two dollars for each additional boiler. All the moneys received by any of the inspectors shall, within twenty days, or sooner when convenient, be paid over to the county treasurer of the county in which the inspection is made, and the inspector shall take a receipt for the same. In case any owner or controller refuse to pay the fees for inspection, or to have their boiler or boilers inspected under the provisions of this act, he shall forfeit and pay a penalty of ten dollars a day while he runs such boiler or boilers; and if the owner or controller of such boiler or boilers refuse to pay such penalties to the inspector, he shall immediately report the same to the prosecuting attorney in the county where the parties reside.

§ 10. That each local inspector shall make in proper form a tabular statement at the end of every month to the supervising inspector of the inspections made by him, of the money received by him for such inspections in each county, and of the name of the persons from whom he received it, and of any other sum or sums of money received by him in the discharge of his duty as such inspector; all of which he shall pay over to the county treasurer of each county in which he received such money.

§ 11. That no certificate of inspection shall be granted until the provisions of this act have been fully complied with; and if any inspector shall willfully certify falsely touching any steam boiler, engine, machinery or appurtenances, or any equipments, or any matter or thing contained in any certificate signed by him, he shall be deemed guilty of a misdemeanor, and upon a conviction thereof upon indictment, shall be fined in any sum not exceeding five hundred dollars, or be imprisoned in the jail of the county in which such indictment shall be found for any period not exceeding six months, or both, at the discretion of the court.

§ 12. That each local inspector shall give bond to the State of Kentucky for the faithful performance of his duties in a sum not less than twenty-five hundred dollars, with two freeholders worth not less than twenty-five hundred dollars each, which bond shall be executed by both principal and sureties to the satisfaction of a prosecuting attorney within the district for which he has been appointed.

§ 13. The supervising inspector shall receive for his services the sum of fifteen hundred dollars per annum, and, in addition thereto, his actual reasonable traveling expenses incurred in the necessary performance of his duty when away from home, and in rendering his account give the items in detail, and make oath to the same under such instructions as shall be given by the Treasurer of the State, who is hereby authorized to pay such salary as the salaries of other State officers are paid, and also such traveling expenses when such expenses are proven to his satisfaction.

§ 14. That each local inspector shall receive as a compensation for his services an amount equal to the fees and penalties by him collected and paid over to the treasurer or treasurers of the county or counties of the district for which he may be appointed: *Provided*, That in no case shall the amount of compensation received by any local inspector exceed the sum of one thousand dollars, and whenever a greater amount shall be collected in any district, the surplus over and above the said sum of one thousand dollars shall remain in the Treasury of the State for the payment of the salary of the supervising inspector, and other incidental expenses herewith connected. The compensation herein provided for the local inspector shall be paid by the Treasurer of the State in the same manner as other State charges and expenses are paid, but no amount shall be paid to any local inspector until it shall first have been examined and certified as correct by the supervising inspector.

§ 15. All prosecutions for forfeitures, penalties, or fines, for the violation of any of the provisions of this act, shall be by action in the name of the Commonwealth of Kentucky; and it shall be the duty of the prosecuting attorney of the county in which the person or persons reside, guilty of such violations, upon information of the supervising or local inspector, and upon careful investigation, to institute and conduct such suits; and such prosecuting attorney shall be entitled to receive from the county treasurer, for his services in this behalf, twenty per cent. on all moneys by him collected and paid over; and all moneys arising from such suits, or collected under this act, as here-

inbefore provided, shall be paid over to the county treasury by the prosecuting attorney or inspector collecting or receiving the same, within ten days thereafter, or sooner when convenient.

§ 16. That each county treasurer shall keep a correct account of all moneys received by him under the provisions of this act, which shall be designated "the Steam Boiler Fund," and he shall pay the same over monthly to the Treasurer of the State, who shall keep a like account of such fund, and make an annual report of the receipts and expenditures that may occur under the provisions of this act.

§ 17. That this act shall be printed under the direction of the Secretary of the State, and at the expense of the State, and shall be distributed by the supervising inspector to the several local inspectors, who shall furnish a copy to each owner or controller of any boiler inspected by them. The Secretary of the State shall, immediately after the passage of this act, have published in some weekly paper of the largest circulation in each Congressional district when this act takes effect, and the necessity of the owners of boilers to notify the local inspectors of their districts of the location of their boilers.

§ 18. That all locomotive boilers owned by persons residing in other States, and running through any part of this State, shall be subject to the provisions of this act the same as locomotive boilers owned within the State: *Provided, however*, This act shall not apply to locomotive boilers having a certificate of inspection granted under a similar act of another State or city.

§ 19. That this act shall take effect within thirty days after the passage thereof.

The House took up the amendment proposed by the Senate to the amendment proposed by the House of Representatives to a bill, which originated in the Senate, entitled

An act transferring the property of, and debts owing to, the trustees of the Harrodsburg Academy, known also as the Mercer County Seminary, to the board of trustees of the town of Harrodsburg, for common school purposes, and authorizing said board to sue for the same.

Said amendment was concurred in.

Mr. Glass, from the Committee on Banks, to whom was referred a bill from the Senate, entitled

An act for the benefit of the incorporated banks of Kentucky,

Reported the same without amendment.

Ordered, That said bill be read a third time.

Said bill was read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the Commercial Bank of Kentucky and Farmers' Bank of Kentucky shall have the power, by their president and directors, with the consent of a majority in interest of their stockholders, to subscribe for stock in any of the associations formed, or to be formed, under the

laws of the United States, for banking purposes, and known as National Banks: *Provided*, Such subscriptions, in the aggregate, by either bank, shall not exceed one half its capital stock.

§ 2. This act shall take effect from its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Good and Wight, were as follows, viz:

Those who voted in the affirmative, were—

William Adair,	R. L. Cooper,	Alfred M. Jones,
Ervin Anderson,	Asbury Dawson,	John W. Kendall,
Wm. F. Barret,	J. C. DeMoss,	Francis M. Lowe,
Alpheus W. Bascom,	George R. Diamond,	J. J. McAfee,
Rob't C. Beauchamp,	John Duvall,	Joshua B. Parks,
D. M. Bowen,	M. W. Ferguson,	Alfred T. Pope,
Orlando C. Bowles,	Robert T. Glass,	Geo. W. Silvertooth,
Samuel W. Brents,	Clinton Griffith,	Robert Simmons,
James R. Claybrook,	Elijah Hogan,	Henry H. Skiles,
Thomas T. Cogar,	William Irwin, sr.,	R. M. Spalding—30.

Those who voted in the negative, were—

Jesse D. Bright,	G. W. Little,	George W. Terrell,
Landon Carter,	Wm. J. McElroy,	P. M. Thurmond,
J. S. Chrisman,	George R. McKee,	J. L. Waring,
I. B. Combs,	Thomas H. Moss,	John F. Wight,
F. R. Davis,	Edward Myall,	L. Wilson,
D. E. Downing,	W. H. Pettus,	John Wolf,
L. D. Good,	G. W. Quick,	S. M. Wrather
George M. Jessee,	R. K. Smith,	Hugh H. York—24.

Resolved, That the title of said bill be as aforesaid.

Mr. Silvertooth, from the Committee on Circuit Courts, who were directed to prepare and bring in the same, reported

A bill to regulate the pay of officers of the Court of Appeals.

Which was read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

Said bill being engrossed, was then read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the Janitor of the Court of Appeals shall hereafter be entitled to and receive the same compensation per day now allowed by law to the Tipstaff and Sergeant-at-Arms of said court, and said officers shall hereafter receive their pay monthly, as other officers are now allowed by law.

§ 2. That this act shall take effect from its passage.

The question was then taken on the passage of said bill, but not receiving a constitutional majority, the same was rejected.

The yeas and nays being required thereon, in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Bunch),	George R. Diamond,	J. J. McAfee,
J. F. Baugh,	John Duvall,	George R. McKee,
D. M. Bowen,	Robert T. Glass,	James A. McKenzie,
Orlando C. Bowles,	L. D. Good,	Thomas H. Moss,
Samuel W. Brents,	Clinton Griffith,	George W. Silvertooth,
Jesse D. Bright,	James R. Hindman,	Robert Simmons,
Landon Carter,	Elijah Hogan,	Henry H. Skiles,
James R. Claybrook,	Alfred M. Jones,	R. K. Smith,
Thomas T. Cogar,	John W. Kendall,	J. L. Waring,
R. L. Cooper,	James Kilgore,	John Wolf—32.
J. C. DeMoss,	Francis M. Lowe,	

Those who voted in the negative, were—

Wm. Adair,	D. E. Downing,	Joshua B. Parks,
Silas Adams,	D. Hambleton,	W. H. Pettus,
Wm. F. Barret,	Ashton P. Harcourt,	Alfred T. Pope,
Alpheus W. Bascom,	Ben. Hardin,	G. W. Quick,
R. C. Beauchamp,	T. H. Hays,	R. M. Spalding,
E. Burr,	Wm. Irwin, sr.,	Geo. W. Terrell,
J. S. Chrisman,	G. W. Little,	John F. Wight,
I. B. Combs,	James B. McCreary,	L. Wilson,
F. R. Davis,	Wm. J. McElroy,	S. M. Wrather—29.
Asbury Dawson,	Edward Myall,	

Mr. Barret then moved to reconsider the vote by which said bill was rejected, and the vote by which the same was ordered to be read a third time.

And the question being taken on the motion of Mr. Barret, it was decided in the affirmative.

And so said votes were reconsidered.

On motion, said bill was recommitted to the Committee on Revised Statutes.

On motion of Mr. Bright, a message was sent to the Senate, asking leave to withdraw therefrom the announcement of the disagreement of the House to a bill, which originated in the Senate, entitled

An act to print sheriffs and master commissioners' advertisements of land sales in Carroll county, in paper printed in said county.

The message having been delivered to the Senate, said bill was returned to the House and laid on the Clerk's table.

Mr. Silvertooth, from the Committee on Circuit Courts, who were directed to prepare and bring in the same, reported

A bill to amend the 1st section of an act in relation to duties of clerks of courts, approved March 2, 1860.

Which was read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

The question was then taken on ordering said bill to be engrossed and read a third time, and it was decided in the negative.

And so said bill was rejected.

Mr. Harcourt, from the Committee on Circuit Courts, who were directed to prepare and bring in the same, reported

A bill to suppress lawlessness.

Which was read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Mr. McKee moved a substitute for said bill, by way of amendment.

Ordered, That the consideration of said bill and amendment be postponed to, and made the special order of the day for, Thursday, 16th inst., at 10½ o'clock, A. M.

Mr Silvertooth, from the Committee on Circuit Courts, who were directed to prepare and bring in the same, reported bills of the following titles, viz:

A bill for the benefit of the jailer of Jefferson county.

A bill to amend the charter of the town of Newcastle, Henry county.

A bill to amend an act, entitled "An act to amend section 4, article 7, chapter 32, of the Revised Statutes."

Which were read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Silvertooth, from the Committee on Circuit Courts, to whom was referred a bill from the Senate, entitled

An act providing for the payment of certain claims allowed by the Rockcastle circuit court,

Reported the same without amendment, and with the expression of opinion that said bill ought not to pass.

The question was then taken, "Shall the bill be read a third time, the opinion of the committee to the contrary notwithstanding?" and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. E. Anderson and Good, were as follows, viz:

Those who voted in the affirmative, were—

Silas Adams,	James P. Ford,	Thomas H. Moss,
Alpheus W. Bascom,	W. W. Frazer,	Joshua B. Parks,
J. F. Baugh,	Robert T. Glass,	W. H. Pettus,
D. M. Bowen,	L. D. Good,	Douglass L. Price,
Orlando C. Bowles,	D Hambleton,	G. W. Quick,
Samuel W. Brents,	Jas. R. Hindman,	George W. Riddle,
E. Burr,	Elijah Hogan,	Robert Simmons,
Thomas T. Cogar,	R. E. Humphrey,	R. K. Smith,
I. B. Combs,	John W. Kendall,	P. M. Thurmond,
F. R. Davis,	James Kilgore,	J. L. Waring,
George R. Diamond,	G. W. Little,	W. J. Webb,
John Duvall,	James B. McCreary,	S. M. Wrather—38.
M. W. Ferguson,	Geo. R. McKee,	

Those who voted in the negative, were—

William Adair,	Ben. Hardin,	Geo. W. Silvertooth,
Ervin Anderson,	Wm. Irwin, sr.,	Henry H. Skiles,
Wm. F. Barret,	William J. McElroy,	Richard M. Spalding,
Asbury Dawson,	Edward Myall,	John F. Wight—14.
D. E. Downing,	Alfred T. Pope,	

Said bill was then read a third time as follows, viz:

WHEREAS, In consequence of the unusually large number of claims for killing foxes, wild cats, &c., allowed by the Rockcastle circuit court, for the years one thousand eight hundred and sixty-seven, and one thousand eight hundred and sixty-eight, the Auditor being satisfied that a great many of said claims were fraudulent, refused to pay any of the claims allowed as aforesaid; for remedy whereof,

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the Auditor of Public Accounts appoint some disinterested person, resident in Rockcastle county, commissioner to examine all the claims allowed by the Rockcastle circuit court in one thousand eight hundred and sixty-seven, and one thousand eight hundred and sixty-eight, for killing foxes, wild cats, &c., that have not been paid by the Auditor; that he shall take proof in relation thereto, and shall have all the powers and be subject to all the responsibilities

of a master commissioner in compelling the attendance of witnesses and otherwise; he shall have power to swear witnesses for the purposes of his appointment. That after hearing all the proof that he is able to procure, he shall make out a written report and forward the same to the Auditor of Public Accounts, setting forth therein the number of just claims allowed by said court during the period aforesaid, and the amounts thereof; also make out a report setting forth the unjust claims allowed and amounts thereof, the persons to whom allowed and upon whose certificate, together with such information as he shall be able to gather as to who was engaged in uttering the fraudulent claims. This report shall be handed to the Commonwealth's attorney for the Fifteenth Judicial District. That whenever the report, setting forth the number and amounts of the just claims, shall have been filed with the Auditor, together with the claims properly certified, the Auditor will draw his warrant on the Treasurer in favor of the persons entitled thereto for the amounts thereof respectively.

§ 2. That before the person appointed to carry out the provisions of this act shall enter upon the duties assigned him herein, he shall take and subscribe an oath before the clerk of the Rockcastle county court, which shall be entered upon the records of said court, that he has no interest, directly or indirectly, in the aforesaid claims, and that he will faithfully and impartially discharge the duties assigned him under the provisions of this act. He shall be allowed twenty cents for each certificate presented, to be paid by the person presenting it.

§ 3. This act shall be in full force from its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. E. Anderson and Wight, were as follows, viz:

Those who voted in the affirmative, were—

William Adair,	Geo. R. Diamond,	James B. McCreary,
Silas Adams,	John Duvall,	George R. McKee,
Wm. F. Barret,	James P. Ford,	Thomas H. Moss,
Alpheus W. Bascom,	W. W. Frazer,	Joshua B. Parks,
J. F. Baugh,	Robert T. Glass,	W. H. Pettus,
D. M. Bowen,	L. D. Good,	Douglass L. Price,
Orlando C. Bowles,	Clinton Griffith,	George W. Riddle,
Samuel W. Brents,	D. Hambleton,	Robert Simmons,
E. Burr,	Jas. R. Hindman,	R. K. Smith,
Landon Carter,	Elijah Hogan,	P. M. Thurmond,
Thomas T. Cogar,	R. E. Humphrey,	J. L. Waring,
I. B. Combs,	John W. Kendall,	W. J. Webb,
R. L. Cooper,	James Kilgore,	L. Wilson,
F. R. Davis,	G. W. Little,	S. M. Wrather—43.
J. C. DeMoss,		

Those who voted in the negative, were—

Ervin Anderson,	Francis M. Lowe,	G. W. Silvertooth,

Asbury Dawson,	William J. McElroy,	Henry H. Skiles,
D. E. Downing,	Edward Myall,	R. M. Spalding,
Ashton P. Harcourt,	Alfred T. Pope,	John F. Wight,
Ben. Hardin,	G. W. Quick,	John Wolf—16.
William Irwin, sr.,		

Resolved, That the title of said bill be as aforesaid.

Mr. Silvertooth, from the Committee on Circuit Courts, who were directed to prepare and bing in the same, reported

A bill to increase the salary of the Commonwealth Attorneys in this Commonwealth,

Without the expression of opinion thereon.

Which was read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

Said bill being engrossed, was then read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the salary to be paid to the Commonwealth Attorneys of this Commonwealth shall hereafter be the sum of one thousand dollars, to be paid out of the Public Treasury as now directed by law.

§ 2. That this act shall take effect from and after its passage.

The question being taken thereon, but no quorum voting, said bill was placed in the orders of the day.

The yeas and nays being required on the passage of said bill by Messrs. Dawson and Combs, were as follows, viz:

Those who voted in the affirmative, were—

R. T. Glass,	Alfred T. Pope,	Henry H. Skiles—5.
Joshua B. Parks,	G. W. Silvertooth,	

Those who voted in the negative, were—

William Adair,	D. E. Downing,	Thomas H. Moss,
Silas Adams,	L. D. Good,	Edward Myall,
Wm. F. Barret,	D. Hambleton,	W. H. Pettus,
Alpheus W. Bascom,	A. P. Harcourt,	Douglass L. Price,
J. F. Baugh,	Ben. Hardin,	G. W. Quick,
Orlando C. Bowles,	James R. Hindman,	George W. Riddle,
E. Burr,	Elijah Hogan,	Robert Simmons,
Landon Carter,	R. E. Humphrey,	R. K. Smith,
Thomas T. Cogar,	William Irwin, sr.,	R. M. Spalding,
I. B. Combs,	James Kilgore,	P. M. Thurmond,
R. L. Cooper,	G. W. Little,	W. J. Webb,
F. R. Davis,	James B. McCreary,	John F. Wight,
Asbury Dawson,	William J. McElroy,	John Wolf—41.
George R. Diamond,	George R. McKee,	

And then the House adjourned.

TUESDAY, MARCH 14, 1871.

On motion, leave of absence, indefinitely, was granted Messrs. Claybrook, Good, Pettus, McKenzie, and Kilgore.

Leave was given to bring in the following bills, viz:

On motion of Mr. Wight—

1. A bill to repeal all laws restricting the sale of hides or pelts in Shelby county.

On motion of Mr. Myall—

2. A bill to incorporate the Leesburg and Clay's Cross-roads Turnpike Company.

On motion of Mr. T. H. Hays—

3. A bill to incorporate the Falls City Tobacco Manufacturing Company.

On motion of Mr. Furber—

4. A bill to amend an act, entitled "An act to amend an act, entitled 'An act for the benefit of the negroes and mulattoes of this Commonwealth.'"

Ordered, That the Committee on Propositions and Grievances prepare and bring in the 1st; the Committee on Corporate Institutions the 2d; the Committee on Revised Statutes the 4th, and a select committee, consisting of Messrs. Pope, Spalding, and Wight, the 3d.

A message was received from the Senate, announcing that they had received official information that the Governor had approved and signed enrolled bills, which originated in the Senate, of the following titles, viz:

An act for the benefit of the Commercial Bank of Kentucky and Farmers' Bank of Kentucky.

An act to amend an act, entitled "An act to provide for the incorporation and regulation of fire, marine, health, accident, live stock, and all other, except life insurance companies," approved March 12, 1870.

An act to amend the charter of the Owenton and Clay Lick Turnpike Road Company.

An act declaring a portion of Round Stone creek, in Rockcastle county, navigable.

An act to incorporate the Eminence and Sulphur Fork Turnpike Road Company.

An act authorizing certain voters of Nelson county to vote a tax to aid in the construction of the Chaplain and Anderson Turnpike Road and the Ash Creek Turnpike Road.

An act to incorporate the Abbott's Landing and Big Twin Creek Turnpike Road Company.

An act for the benefit of the Cynthiana and Ashbrook's Mill Turnpike Road Company, in Harrison county.

An act to amend the charter of the Smithfield and Ballardsville Turnpike Road Company.

An act to amend the charter of the Danville and Pleasant Hill Turnpike Road Company.

That they had concurred in the amendments proposed by the House to a bill, which originated in the Senate, entitled

An act to amend an act, entitled "An act to amend the 3d section, 2d article, 32d chapter, of the Revised Statutes,"

With an amendment to said amendment.

That they had disagreed to bills, which originated in the House of Representatives, of the following titles, viz:

An act increasing the common law jurisdiction of the police court of the town of Caseyville, in Union county.

An act increasing the common law jurisdiction of the police court of the town of Uniontown, in Union county.

That they had passed bills, which originated in the House of Representatives, of the following titles, viz:

An act to incorporate the Widows' and Orphans' Cemetery Company of Crab Orchard.

An act to incorporate the town of Spottsville, in Henderson county.

An act to extend and enlarge the corporate limits of the town of South Carrollton, in Muhlenburg county.

An act to amend and reduce into one all the acts concerning the town of Edmonton.

An act to amend the charter of the town of Mayfield.

An act to incorporate the town of Tollsboro.

An act to incorporate the town of Knowlesburg, in Morgan county.

An act to incorporate the town of Mt. Olivet, Robertson county.

An act to amend 2d section of an act, entitled "An act to amend the charter of the town of Springfield."

An act to incorporate the town of Calvert City, in Marshall county.

An act to incorporate the town of Martinsburg, in the county of Elliott.

An act to incorporate the town of Flat Rock, in Bourbon county.

An act to incorporate the Methodist Episcopal Church, South, Widows' and Orphans' Home.

An act to incorporate the town of Frenchburg, in Menifee county.

An act to mark and define the boundary line between the counties of Muhlenburg and McLean.

With an amendment to the last named bill.

And that they had passed bills of the following titles, viz:

1. An act to establish the county of Adams.

2. An act to fix the per diem of Sergeants-at-Arms, Door-keepers, and Clerks of Enrolling Committees of the Senate and House of Representatives.

3. An act to incorporate the Kentucky and Southern Railroad Company.

4. An act to incorporate the Green River Synod of the Cumberland Presbyterian Church in Kentucky.

5. An act to prevent the sale of intoxicating liquors in Ohio county, to be used as a beverage in said county.

6. An act to amend article 17, chapter 28, of the Revised Statutes, protecting ministers of the gospel and other persons going to and returning from places of public divine worship.

Which were read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That they be referred—the 1st to the Committee on Religion; the 2d to the Committee on Ways and Means; the 3d to the Committee on Railroads; and the 4th, 5th, and 6th to the Committee on Religion.

A message was received from the Senate, announcing that they had concurred in the amendment proposed by the House to a resolution, which originated in the Senate, entitled

Resolution in relation to a final adjournment of the present session of the General Assembly.

The House took up a resolution from the Senate, entitled

Resolution in relation to Irish exiles.

Said resolution being twice read, was unanimously adopted.

Mr. Bowles, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the Senate, of the following titles, viz:

An act to vest the trustees of Cave City with additional powers;

An act for the benefit of Johnson county;

An act to authorize the sale of the poor-house property in Boyle county, and to reinvest the proceeds in a more suitable place in said county;

An act to authorize the county court of Taylor county to sell a part of the court-house lot in Campbellsville for certain purposes;

An act for the benefit of S. S. McFatridge, late sheriff of Mercer county;

An act to prohibit the sale of intoxicating liquors in Sonora, in Hardin county;

An act concerning the advertisement of sheriffs' and commissioners' sales of land in Bath county;

An act to change the time of holding the quarterly and county courts in the county of Green;

An act for the benefit of the Mercer county court;

An act for the benefit of George Mantle, of Blandville;

An act to amend the road law of Henderson, Union, and Grayson counties;

An act to change the time of holding the Warren quarterly court;

An act authorizing the county court judge of Madison county to grant a license to Richard H. Lamb to retail ardent spirits;

An act to authorize the Union county court to appoint a sheriff for said county;

An act amending an act, entitled "An act to amend an act incorporating the Bardstown and Bloomfield Turnpike Road Company;"

An act incorporating the Bloomfield and Bardstown Turnpike Road Company;

An act incorporating the Bardstown and Shepherdsville Turnpike Road Company;

An act for the benefit of turnpike roads in Bath county;

An act for the benefit of Wm. E. Clelland, sheriff of Mercer county;

And also enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to amend chapter 53 of the Revised Statutes, title "Interest and Usury;"

An act to amend an act repealing in part the act declaring the Rolling Fork of Salt river a navigable stream;

An act authorizing the trustees of the Silver Creek Academy to sell and convey the academy property, with power to reinvest the proceeds of the sale;

An act to incorporate the Mill Grove and Paint Lick Creek Turnpike Road Company, in Madison county;

An act to incorporate Dreaming Creek Turnpike Road Company, in Madison county;

An act to incorporate the Logan's Creek, Dudderar's Mill, and White Oak Turnpike Road Company;

An act to incorporate the Shepherdsville and Belmont Furnace Turnpike Road Company;

An act to amend and reduce into one the acts incorporating the town of Paintsville;

An act to amend an act, entitled "An act for the benefit of the county school fund of Pendleton county," approved March 21, 1870;

An act for the benefit of school district No. 3, in Simpson county;

An act for the benefit of common school district No. 31, in Bullitt county;

An act for the benefit of common school district No. 19, in Montgomery county;

An act for the benefit of public schools and academies of Newport;

An act to incorporate the Caverna and Burksville Turnpike Road Company;

An act to provide compensation to the clerk of the Campbell circuit court for making cross-index to the suits and records thereof;

An act for the benefit of M. H. Johns, of Lawrence county;

An act to incorporate the DeMossville and Gardnersville Turnpike Road Company, in Pendleton county;

An act for the benefit of school district No. 22, in Madison county;

An act authorizing the county judge of Logan county to appropriate money to keep in repair the turnpike roads in Russellville district, in said county;

An act to incorporate the Iron Works Turnpike Road Company;

An act to incorporate the Big Eagle and Connersville Turnpike Company;

An act to incorporate the Parker's Mill, Stonewall, and Connersville Turnpike Company;

An act to amend an act, entitled "An act to amend the Concord and Tollsboro Turnpike Road Company;"

An act to amend an act, entitled "An act incorporating Sherburne Bridge Company," approved March 9, 1854;

An act to incorporate the Mt. Eden and Camdensville Turnpike Road Company;

An act to incorporate the West Paris Bridge Company;

And had found the same truly enrolled.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Bowles inform the Senate thereof.

The House took up the amendments proposed by the Senate to bills, which originated in the House of Representatives, of the following titles, viz:

An act to amend the charter of the town of Midway.

An act to amend the charter of Bowling Green.

An act to amend the charter of the town of Cromwell, in Ohio county.

An act to incorporate a Steam Ferry Company at the mouth of the Ohio river, in Ballard county.

An act to amend and reduce into one the several acts relating to the charter and amendments thereto of the town of Mt. Sterling.

Said amendments were severally concurred in.

A message was received from the Governor by Mr. Samuels, Assistant Secretary of State, announcing that he had approved and signed enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act authorizing the county court of Christian and Allen counties to establish additional voting places in said counties.

An act for the benefit of E. M. Flack, sheriff of Todd county.

An act to organize and establish a system of public schools in the city of Owensboro, for white children in said city.

An act for the benefit of the common school districts in Clinton county.

An act to amend the charter of the Board of Education of the Louisville Annual Conference of the Methodist Episcopal Church, South, approved January 25, 1867.

An act for the benefit of school district No. 6, in Robertson county.

An act to require turnpike road companies in Lewis county to make annual settlements with the county judge.

An act exempting salt wagons from payment of toll on the Wilderness Turnpike Road, in the counties of Knox and Josh Bell.

An act to regulate the collection of tolls on such parts of the Russell Turnpike Road, in Fayette county, and the Centerville and Jacksonville Turnpike Road, as are now without gates.

An act to incorporate the Frenchburg and Jeffersonville Turnpike Road Company.

An act to amend an act, entitled "An act to amend and re-enact an act to authorize common school district No. 7, in Washington county, to levy a tax for school purposes, approved March 11, 1867," approved February 3, 1870.

An act to incorporate the Maux Branch Turnpike Road Company.

An act for the benefit of Mrs. Russell Kavanaugh, widow of the late Judge G. W. Kavanaugh.

An act for the benefit of the sureties of Young E. Hurt, late sheriff of Adair county.

An act to protect bridges over Licking river, in Pendleton county.

An act to repeal an act, entitled "An act to change the road law in Kenton county," approved February 16, 1870.

An act declaring Grassy creek, in Morgan county, a navigable stream.

An act for the benefit of Barren county.

An act to amend an act, entitled "An act to revise, amend, and reduce into one the laws relating to the common schools of Kentucky."

An act to incorporate the Glasgow, Edmonton, and Burksville Turnpike Road Company.

An act for the benefit of James F. Carson, of Rockcastle county.

An act to allow the county court of Marshall county to purchase Stanton's Treatise.

An act for the benefit of George Robertson, of Casey county.

An act for the benefit of common school district No. 26 (Carlisle district), in Nicholas county.

An act to authorize Garred Ratliffe to erect a boom across Rockcastle creek, in Lawrence county.

An act to amend an act, entitled "An act for the improvement of the Big Sandy river," approved February 10, 1870.

Mr. Chrisman, from the Committee on Claims, who originated the same, reported

A bill to appropriate money.

Which was read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Said bill was placed in the orders of the day.

The House took up from the orders of the day a bill, entitled

A bill to authorize cities and towns to establish independent common school system.

Mr. DeMoss moved a substitute, by way of amendment, to said bill.

Mr. McKee moved an amendment to the amendment of Mr. DeMoss.

Mr. Price moved to lay said bill and amendments on the table.

And the question being taken on the motion of Mr. Price, it was decided in the affirmative.

And so said bill and amendments were laid on the table.

Mr. McCreary, from the Committee on Railroads, to whom was referred a bill from the Senate, entitled

An act to authorize the counties of Madison, Estill, Lee, Owsley, the city of Louisville, and any other cities, counties, or towns in this State, corporations or individuals, to subscribe for stock in a Branch of the Louisville and Nashville Railroad, from Richmond to Irvine and Scott's Landing, or Beattyville, in Kentucky,

Reported the same without amendment.

Mr. Pope moved an amendment to said bill, which was adopted.

Ordered, That said bill, as amended, be read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. McCreary, from the Committee on Railroads, to whom was referred a bill from the Senate, entitled

An act to incorporate the Frankfort, Paris, and Big Sandy Railroad Company,

Reported the same with an amendment thereto, which was adopted.

Mr. Pope moved an amendment thereto, which was adopted.

Ordered, That said bill, as amended, be read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Harcourt, from the Committee on Circuit Courts, to whom was recommitted a bill, entitled

A bill for the benefit of the circuit and county court clerks, and to equalize their pay,

Reported the same with an amendment thereto, which was adopted.

Mr. Combs moved to lay said bill on the table.

And the question being taken on the motion of Mr. Combs, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Hardin and Combs, were as follows, viz:

Those who voted in the affirmative, were—

William Adair,	Ben. Hardin,	William S. Richart,
Silas Adams,	James R. Hindman,	Henry H. Skiles,
William F. Barret,	R. E. Humphrey,	R. K. Smith,
Robert C. Beauchamp,	Wm. Irwin, sr.,	Richard M. Spalding,
D. M. Bowen,	Wm. J. McElroy,	P. M. Thurmond,
I. B. Combs,	George R. McKee,	A. D. Weller,
F. R. Davis,	Thomas H. Moss,	John F. Wight,
D. E. Downing,	Edward Myall,	John Wolf,
L. D. Good,	W. H. Pettus,	S. M. Wrather—28.
D. Hambleton,		

Those who voted in the negative, were—

Ervin Anderson,	John Duvall,	James B. McCreary,
Orlando C. Bowles,	James P. Ford,	Mason Morris,
Samuel W. Brents,	W. W. Frazer,	Joshua B. Parks,
E. Burr,	Samuel G. Geisler,	W. V. Prather,
William B. Caldwell,	Ashton P. Harcourt,	Douglass L. Price,
James E. Cantrill,	J. B. Hays,	G. W. Quick,
Landon Carter,	Thomas H. Hays,	George W. Silvertooth,
J. S. Chrisman,	Elijah Hogan,	Robert Simmons,
Thomas T. Cogar,	George M. Jessee,	George W. Terrell,
R. L. Cooper,	John W. Kendall,	W. J. Webb,
Asbury Dawson,	Francis M. Lowe,	L. Wilson—34.
George R. Diamond,		

Mr. Furber moved an amendment, which was rejected.

Ordered, That said bill, as amended, be engrossed and read a third time.

Said bill being engrossed, was then read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the circuit court clerks of this State shall receive half pay in all Commonwealth or criminal cases that they now receive for like services in civil cases; and their claims shall be made out, allowed

and paid in the same manner and under the same regulations that the said clerks are now paid under the jury law, chapter 55, article 7, section 1, Revised Statutes.

§ 2. This act shall take effect from its passage.

The question being taken on the passage of said bill, it was decided in the negative.

And so said bill was rejected.

Mr. E. Anderson moved to reconsider the vote by which the House on a former day disagreed to a bill, which originated in the Senate, entitled

An act to amend the charter of the town of Flemingsburg.

Mr. Davis moved to lay the motion of Mr. Anderson on the table.

And the question being taken on the motion of Mr. Davis, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Price and E. Anderson, were as follows, viz:

Those who voted in the affirmative, were—

Alpheus W. Bascom,	D Hambleton,	G. W. Quick,
J. F. Baugh,	Ashton P. Harcourt,	Robert Simmons,
Robt C. Beauchamp,	Ben. Hardin,	Henry H. Skiles,
D. M. Bowen,	J. B. Hays,	R. K. Smith,
Orlando C. Bowles,	James R. Hindman,	Richard M. Spalding,
Samuel W. Brents,	R. E. Humphrey,	George W. Terrell,
William B. Caldwell,	William Irwin, sr.,	P. M. Thurmond,
R. L. Cooper,	James B. McCreary,	J. L. Waring,
F. R. Davis,	Thomas H. Moss,	A. D. Weller,
James P. Ford,	Edward Myall,	John F. Wight,
W. W. Frazer,	W. H. Pettus,	L. Wilson,
John N. Furber,	Alfred T. Pope,	John Wolf—37.
L. D. Good,		

Those who voted in the negative, were—

William Adair,	D. E. Downing,	William J. McElroy,
Silas Adams,	M. W. Ferguson,	George R. McKee,
Ervin Anderson,	Robert T. Glass,	Mason Morris,
Wm. F. Barret,	Elijah Hogan,	Joshua B. Parks,
Landon Carter,	George M. Jessee,	Douglass L. Price,
J. S. Chrisman,	Francis M. Lowe,	Wm. S. Richart,
Asbury Dawson,	J. J. McAfee,	W. J. Webb—22.
George R. Diamond,		

And so Mr. Anderson's motion was laid on the table.

Mr. Chrisman, from the select committee, who were directed to prepare and bring in the same, reported

A bill to amend chapter 83, Revised Statutes, title "Revenue and Taxation."

Which was read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That the consideration thereof be postponed until to-morrow, at 10½ o'clock, A. M.

The House took up for further consideration the matter of the disagreement of the two Houses on the amendment proposed by the House, to a bill which originated in the Senate, entitled

An act for the benefit of John C. Broadhead.

The question was then taken: "Will the House adhere to its proposed amendment?" and it was decided in the affirmative.

Mr. Spalding then moved that a committee of conference, on the part of the House, be appointed in the matter of said disagreement, and that a message be sent to the Senate, requesting the appointment of a similar committee on their part.

It was so ordered by the House, and a committee appointed, consisting of Messrs Spalding, Smith, and Bowles, who were directed to bear said message to the Senate.

The House took up the motion to reconsider the vote by which this House passed a bill, entitled

A bill to amend section 1, article 1, chapter 84, Revised Statutes, title "Roads and Passways."

The question was then taken on the motion to reconsider said vote, and it was decided in the negative.

The House took up from the orders of the day a bill from the Senate, entitled

An act to amend an act, entitled "An act for the benefit of John T. Jackson," approved March 9, 1867.

Ordered, That said bill be read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with,

Pending discussion thereon, the hour for taking a recess arrived, and said bill was placed in the orders of the day.

Mr. Duvall, from the Committee on County Courts, who were directed to prepare and bring in the same, reported

A bill authorizing Wm. Green, of Elliott county, to erect a mill-dam across Little Sandy river.

Which was read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Mr. Wight moved an amendment thereto, which was rejected.

Ordered, That said bill be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

The House took up the amendment proposed by the Senate to an amendment proposed by the House to a bill, which originated in the Senate, entitled

An act to amend an act, entitled "An act to amend the 3d section, 2d article, 32d chapter, of the Revised Statutes."

The amendment of the Senate to the amendment proposed by the House was concurred in, and the title of said bill changed so as to read,

An act to amend the 3d section, 2d article, chapter 32, of the Revised Statutes.

Mr. Duvall, from the Committee on County Courts, who were directed to prepare and bring in the same, reported

A bill for the benefit of Samuel Bone, of Ballard county.

Which was read the first time.

The question was then taken on ordering said bill to be read a second time, and it was decided in the negative.

And so said bill was rejected.

Mr. McKee, from the Committee on Revised Statutes, to whom was referred bills from the Senate, of the following titles, viz:

An act amending section 2, article 1, chapter 50, of the Revised Statutes;

An act to amend an act, entitled "An act to amend the 3d section, 2d article, 32d chapter, of the Revised Statutes," approved February 16, 1858;

Reported the same without amendment, and with the expression of opinion that said bills ought not to pass.

The question was then taken on ordering said bills to be read a third time, the opinion of the committee to the contrary notwithstanding, and it was decided in the negative.

And so said bills were disagreed to.

Mr. McKee, from the Committee on Revised Statutes, to whom was referred a bill from the Senate, entitled

An act to amend section 3, article 3, chapter 17, of Revised Statutes,

Reported the same without amendment.

Ordered, That said bill be read a third time.

Said bill was then read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the clerks of inferior courts, for services rendered in pursuance of section 3, article 3, chapter 17, of Revised Statutes, shall be allowed ten cents for indorsing the steps in each case, after each term of the court in civil suits, and to be taxed as other costs.

§ 2. This act to take effect from its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Combs and Barret, were as follows, viz:

Those who voted in the affirmative, were—

Silas Adams,	M. W. Ferguson,	J. J. McAfee,
Ervin Anderson,	James P. Ford,	James B. McCreary,
D. M. Bowen,	John N. Furber,	George R. McKee,
Orlando C. Bowles,	Clinton Griffith,	Mason Morris,
Samuel W. Brents,	Ashton P. Harcourt,	Alfred T. Pope,
Landon Carter,	Thomas H. Hays,	W. V. Prather,
J. S. Chrisman,	Elijah Hogan,	George W. Riddle,
Thomas T. Cogar,	R. E. Humphrey,	Geo. W. Terrell,
R. L. Cooper,	Wm. Irwin, sr.,	J. L. Waring,
George R. Diamond,	John W. Kendall,	W. J. Webb,
John Duvall,	Francis M. Lowe,	L. Wilson—33.

Those who voted in the negative, were—

Mr. SPEAKER (Bunch),	J. C. DeMoss,	G. W. Quick,
Wm. Adair,	D. E. Downing,	William S. Richart,
Wm. F. Barret,	W. W. Frazer,	Robert Simmons,
Alpheus W. Bascom,	James R. Hindman,	Henry H. Skiles,
R. C. Beauchamp,	George M. Jessee,	R. K. Smith,
E. Burr,	Wm. J. McElroy,	R. M. Spalding,
William B. Caldwell,	Thomas H. Moss,	P. M. Thurmond,
I. B. Combs,	Edward Myall,	A. D. Weller,
F. R. Davis,	Joshua B. Parks,	John F. Wight,
Asbury Dawson,	Douglass L. Price,	John Wolf—30.

Resolved, That the title of said bill be as aforesaid.

A message was received from the Senate, announcing that they had concurred in the amendments proposed by the House to a bill, which originated in the Senate, entitled

An act to authorize the counties of Madison, Estill, Lee, Owsley, the city of Louisville, and any other cities, counties, or towns in this State, corporations or individuals, to subscribe for stock in a Branch of the Louisville and Nashville Railroad, from Richmond to Irvine and Scott's Landing, or Beattyville, in Kentucky.

Bills from the Senate were reported, without amendment, by the committees to whom they had been referred, of the following titles, viz:

By Mr. Silvertooth, from the Committee on Circuits Courts—

An act to authorize and empower the Bedford Division, Sons of Temperance, to sell and convey its real estate.

By Mr. Duvall, from the Committee on County Courts—

An act for the benefit of Clay county.

By same—

An act to require the clerk of the Green county court to index and cross-index certain deed books in Green county.

By same—

An act to authorize the late judge of the Kenton county court to enter and sign certain judgments, orders, and returns, and to legalize the same.

By same—

An act concerning the poor-house farm in Clark county.

By same—

An act to amend an act, entitled "An act for the benefit of the county court of Union county," approved February —, 1871.

By same—

An act to repeal an act, entitled "An act to define the line between the counties of Lewis and Carter," approved March 9, 1868.

By same—

An act for the benefit of the clerk of the Breathitt county court.

By same—

An act authorizing the county courts of Estill and Lee to permit persons to erect gates across the public road leading from Irvine to Beattyville.

By same—

An act to exclude Crab Orchard Springs from the limits of Crab Orchard.

By same—

An act for the benefit of Logan county.

By same—

An act for the benefit of R. B. McCall, administrator of J. W. Riley, deceased.

By same—

An act to empower the county court of Lawrence county to levy an additional tax in said county, and for other purposes.

Ordered, That said bill be read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Bills were reported by the several committees, who were directed to prepare and bring in the same, of the following titles, viz:

By Mr. Adair, from a select committee—

A bill to regulate the sale of liquors in the town of Canmer, in Hart county, and within one mile thereof.

By Mr. Duvall, from the Committee on County Courts—

A bill to change the time of holding the county and quarterly courts of Fulton county.

By Mr. Silvertooth, from the Committee on Circuit Courts—

A bill to amend the charter of the town of Millersburg, in Bourbon county.

By Mr. Wight, from the Committee on Propositions and Grievances—

A bill to repeal all laws restricting the sale of hides or pelts in Shelby county.

By Mr. Duvall, from the Committee on County Courts—

A bill to authorize the Elliott county court to issue bonds to raise a fund for the erection of the public buildings of said county.

By same—

A bill for the benefit of Robert A. Marical, of Josh Bell county.

By same—

A bill to create and regulate the office of county treasurer of Floyd county.

By same—

A bill for the benefit of the judge of the Todd county and quarter court.

By same—

A bill for the benefit of the surveyor of Harlan county.

By same—

A bill to authorize McCracken county to subscribe, pay for, and hold stock in, any gravel road company whose road or any part shall be made in said county.

By same—

A bill to allow the county court of Oldham county to issue bonds for turnpike purposes.

By Mr. Smith, from the same committee—

A bill to amend the charter of the town of Brooksville, in Bracken county.

By Mr. Duvall, from the same committee—

A bill to amend an act, entitled "An act for the benefit of the county of Fleming," approved February 17, 1871.

By Mr. McKee, from the Committee on Revised Statutes—

A bill for the benefit of Hawkins McKee, jailer of Whitley county.

Which were read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

And then the House adjourned.

WEDNESDAY, MARCH 15, 1871.

A message was received from the Senate, announcing that they had received official information that the Governor had approved and signed enrolled bills, which originated in the Senate, of the following titles, viz:

An act to provide for the erection of a warehouse for the Kentucky Penitentiary, and to appropriate funds for its erection and completion.

An act to amend the charter of the Warren Deposit Bank.

An act to attach the county of Martin to the 16th judicial district.

An act to change the time of holding the circuit courts of Pulaski county, in the 8th judicial district.

An act to amend an act, entitled "An act to amend the charter of the town of Danville," approved February 17, 1871.

An act to repeal an act, entitled "An act to re-enact an act, entitled 'An act regulating the time of holding the circuit courts,' approved March 5, 1866," approved February 25, 1870.

An act to incorporate the Woodford Railroad Company.

An act to amend an act, entitled "An act to incorporate a Savings and Deposit Bank in Elkton, in Todd county."

An act to reduce into one, amend, and digest the acts and amendatory acts incorporating the city of Paris.

That they had disagreed to a bill, which originated in the House of Representatives, entitled

An act for the benefit of the county judge of Carroll county.

That they had passed a bill, which originated in the House of Representatives, entitled

An act for the benefit of Robert Gibbs,

With an amendment thereto.

That they had adopted a resolution, entitled

Resolution authorizing the purchase of a map of Kentucky and the United States.

And that they had passed bills of the following titles, viz:

1. An act to incorporate the Frankfort, Paris, and Big Sandy Railroad Company.

2. An act to amend an act, entitled "An act to provide for the organization and regulation of incorporated companies, except banking, insurance, and railroad companies," approved March 15, 1870.

3. An act concerning the Adjutant General.

Which were read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That they be referred—the 1st to the Committee on Railroads; the 2d to the Committee on Insurance; and the 3d to the Committee on Military Affairs; and made the special order of the day for to-morrow, 16th inst., at 10 o'clock, A. M.

A message was received from the Governor by Mr. Samuels, Assistant Secretary of State, announcing that he had approved and signed enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to amend an act, entitled "An act to incorporate the Shelbyville Cemetery Company," approved March 1st, 1854.

An act for the benefit of J. S. Randall, of Whitley county.

An act for the benefit of John A. Wilson, clerk of the Fulton county court.

An act concerning the collection of claims of the State of Kentucky against the Federal Government.

An act for the benefit of Elijah Evans, of Jessamine county.

An act for the benefit of M. C. Hughes, late sheriff of Gallatin county.

An act for the benefit of R. W. Stringer, of Livingston county.

An act to amend an act, entitled "An act to amend an act, entitled 'An act to amend the charter of the Shelbyville Railroad Company, and to authorize certain counties to take stock in the same.'"

An act to amend an act, entitled "An act to incorporate the Simpsonville and Antioch Turnpike Road Company."

An act for the benefit of common school district No. 19, in Montgomery county.

An act for the benefit of public schools and academies of Newport.

An act for the benefit of school district No. 22, in Madison county.

An act to incorporate the Iron Works Turnpike Road Company.

An act for the benefit of school district No. 3, in Simpson county.

An act to amend an act repealing in part the act declaring the Rolling Fork of Salt river a navigable stream.

An act to incorporate the DeMossville and Gardnersville Turnpike Road Company, in Pendleton county.

An act to incorporate the Logan's Creek, Dudderar's Mill, and White Oak Turnpike Road Company.

An act to incorporate the Caverna and Burksville Turnpike Road Company.

An act to incorporate the Shepherdsville and Belmont Furnace Turnpike Road Company.

An act to provide compensation to the clerk of the Campbell circuit court for making cross-index to the suits and records thereof.

An act to amend chapter 53 of the Revised Statutes, title "Interest and Usury."

Mr. Harcourt, from the Committee on Circuit Courts, to whom was referred a bill from the Senate, entitled

An act to amend the charter of the city of Covington,

Reported the same with an amendment, which was adopted.

Ordered, That said bill, as amended, be read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. McKee, from the Committee on Revised Statutes, to whom was referred a bill from the Senate, entitled

An act to amend section 17, article 2, chapter 56, Revised Statutes, title "Landlord and Tenant,"

Reported the same without amendment, and with the expression of opinion that said bill ought not to pass.

The question was then put, "Shall the bill be read a third time, the opinion of the committee to the contrary notwithstanding?" and it was decided in the negative.

And so said bill was disagreed to.

Mr. McKee, from the Committee on Revised Statutes, who were directed to prepare and bring in the same, reported bills of the following titles, viz:

A bill to amend an act, entitled "An act to amend chapter 84 of the Revised Statutes, title 'Roads and Passways,'" approved February 20, 1869.

A bill to amend an act to incorporate the Lancaster, Fall Lick, and Mt. Vernon Turnpike Company.

A bill to amend an act, entitled "An act to designate the holidays to be observed in the acceptance and payment of bills of exchange, &c.," approved February 7, 1868.

Which were read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. McKee, from the Committee on Revised Statutes, who were directed to prepare and bring in the same, reported

A bill to repeal an act, entitled "An act to regulate the sale and storage of illuminating oils made from coal, petroleum, or other bituminous substances, and for the better protection of life and property."

Which was read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be recommitted to the Committee on Agriculture and Manufactures.

The House then took up from the orders of the day, and proceeded still further to consider, a bill, entitled

A bill to appropriate money.

Amendments to said bill were moved by Messrs. Dawson and Richart, which were rejected.

Amendments were moved by Messrs. Bowen, Cantrill, and T. H. Hays, which were adopted.

Mr. Bowen moved the following amendment, viz:

To Wm. B. Hawkins, five dollars per day for his services as Assistant Clerk of the Senate during the sickness of the Chief Clerk, the time of service to be certified by J. A. Munday, Chief Assistant Clerk of the Senate.

The question was then taken on the adoption of said amendment, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Adams and Dawson, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Bunch),	J. S. Chrisman,	Wm. Irwin, sr.,
William Adair,	Thomas T. Cogar,	Francis M. Lowe,
George W. Anderson,	R. L. Cooper,	James B. McCreary,
Ervin Anderson,	F. R. Davis,	George R. McKee,
William F. Barret,	J. C. DeMoss,	Thomas H. Moss,
Alpheus W. Bascom,	George R. Diamond,	Joshua B. Parks,
D. M. Bowen,	D. E. Downing,	Alfred T. Pope,
Orlando C. Bowles,	John Duvall,	W. V. Prather,
Samuel W. Brents,	James P. Ford,	Douglass L. Price,
E. Burr,	W. W. Frazer,	Henry H. Skiles,
William B. Caldwell,	John N. Furber,	Richard M. Spalding,
James E. Cantrill,	D. Hambleton,	J. L. Waring,
Landon Carter,	Thomas H. Hays,	W. J. Webb—39.

Those who voted in the negative, were—

Silas Adams,	R. E. Humphrey,	G. W. Quick,
Robert C. Beauchamp,	George M. Jessee,	William S. Richart,
Asbury Dawson,	J. J. McAfee,	George W. Terrell,
M. W. Ferguson,	Wm. J. McElroy,	P. M. Thurmond,
James R. Hindman,	Mason Morris,	John F. Wight,
Elijah Hogan,	Edward Myall,	John Wolf—18.

And so said amendment was adopted.

Ordered, That said bill be engrossed and read a third time.

Said bill being engrossed, was then read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the following sums of money are hereby appropriated to the following persons, to be paid by the Treasurer out of any money in the Treasury not otherwise appropriated, upon the warrant of the Auditor, viz:

§ 2. To the Speakers of the Senate and House of Representatives, ten dollars each per day, during the present adjourned session of the General Assembly.

§ 3. To the principal Clerks of the Senate and House of Representatives, ten dollars each per day, during the present adjourned session of the General Assembly, and the same for such time as may be necessary, not exceeding fifteen days after the adjournment, for preparing the acts for publication.

§ 4. To the Assistant Clerks, each ten dollars per day, during the present adjourned session.

§ 5. To the Sergeant-at-Arms of Senate and House of Representatives, each eight dollars per day, during the present adjourned session.

§ 6. To the Door-keepers of the Senate and House of Representatives, each eight dollars per day, during the present adjourned session.

§ 7. To Isaac Wingate, jr., and D. D. Sublett, Clerks of the Enrolling Committees of the Senate and House of Representatives, eight dollars each per day, during the present adjourned session.

§ 8. To the Pages of the Senate and House of Representatives, three dollars each per day, during the present adjourned session.

§ 9. To the Ministers of the Gospel of Frankfort, three hundred dollars, to be drawn and distributed among them by J. A. Grant, Sergeant-at-Arms of the Senate.

§ 10. To James M. Hines, Sergeant-at-Arms of the House of Representatives, for the benefit of Henry Morton, two dollars and fifty cents per day; and for the benefit of Daniel Morton, two dollars and fifty cents per day, during present adjourned session, for waiting on the House of Representatives; and for the benefit of David Haly, three dollars per day, during present adjourned session, for waiting on the "cloak-room."

§ 11. To J. A. Grant, Sergeant-at-Arms of the Senate, for the benefit of Charles R. Lee, two dollars and fifty cents; and for the benefit of Lewis Harris, two dollars and fifty cents, each, per day, during present adjourned session, for waiting on the Senate.

§ 12. To G. B. Crittenden, Librarian, for the benefit of James Coleman, two dollars and fifty cents per day, for waiting on the "back capitol," and for the benefit of Johnson Butler, two dollars and fifty cents per day, for sawing wood for General Assembly, during present adjourned session.

§ 13. To D. L. Haly, twelve dollars and thirty-five cents ($12 35), for sundries furnished General Assembly.

§ 14. To J. G. Hatchitt, fourteen dollars, for postage on newspapers furnished members General Assembly.

§ 15. To Ed. Butler, ten dollars, for carpentering and plastering in Hall House of Representatives.

§ 16. To Frankfort Commonwealth Printing Company, seventy-five dollars, for copies Weekly Commonwealth furnished members General Assembly.

§ 17. To Rodman & Bro., twenty-five dollars and sixty-five cents, for rug and carpet on Hall House of Representatives.

§ 18. To M. E. Jett, forty-two dollars and twenty-five cents, for work done on furniture for General Assembly.

§ 19. To W. H. Averill, one dollar and seventy-five cents, for articles furnished General Assembly.

§ 20. To R. M. Gosney, five dollars, for resetting mantel in Senate Chamber.

§ 21. To John M. Helms, eight dollars and forty cents, for articles furnished General Assembly.

§ 22. To Patrick Doyle, three dollars, for putting glass in doors of Senate Chamber.

§ 23. To R. M. Gosney, ten dollars, for repairing fire-place in Senate Chamber.

§ 24. To W. M. Davis, two dollars and sixty-five cents, for articles furnished General Assembly.

§ 25. To John N. Crutcher, eight dollars, for articles furnished General Assembly.

§ 26. To Rodman & Bro., twenty-five dollars and sixty cents, for articles furnished General Assembly.

§ 27. To J. A. Grant, Sergeant-at-Arms of Senate, twenty-seven dollars, for expenses to Louisville and return, under orders of the Senate.

§ 28. To publishers Franklin Sentinel, five dollars, for four copies Sentinel.

§ 29. To publishers Uniontown Democrat, two dollars and fifty cents, for two copies Democrat.

§ 30. To publisher Mt. Sterling Sentinel, one dollar and twenty-five cents, for one copy Sentinel.

§ 31. To publisher Lexington Press, one hundred and twenty-three dollars, for forty-one copies Daily Press.

§ 32. To Marrs & Bruce, seven dollars and fifty cents, for six copies Danville Advocate.

§ 33. To Ed. K. Warren, one dollar and twenty-five cents, for one copy Mayfield Democrat.

§ 34. To publishers Louisville Commercial, thirty-nine dollars, for thirteen copies Daily Commercial.

§ 35. To McChesney & Fisher, three dollars and seventy-five cents, for three copies Western Citizen.

§ 36. To publisher Carlisle Mercury, three dollars and seventy-five cents, for three copies Mercury.

§ 37. To publishers Lexington Observer and Reporter, twenty-two dollars and fifty cents, for nine copies Tri-Weekly Observer and Reporter.

§ 38. To Matthis & Bell, two dollars and fifty cents, for two copies Elizabethtown News.

§ 39. To Thomas S. Pettit, six dollars and twenty-five cents, for five copies Owensboro Monitor.

§ 40. To John C. Noble, twelve dollars and fifty cents, for five copies Paducah Tri-Weekly Herald.

§ 41. To publisher Hickman Courier, two dollars and fifty cents, for two copies Courier.

§ 42. To publisher Columbus Dispatch, one dollar and twenty-five cents, for one copy Dispatch.

§ 43. To publisher Covington Journal, two dollars and fifty cents, for two copies Journal.

§ 44. To publisher Big Sandy Herald, ten dollars, for eight copies Herald.

§ 45. To publisher Richmond Register, two dollars and fifty cents, for two copies Register.

§ 46. To J. J. Miller, two dollars and fifty cents, for two copies Lexington Home Journal.

§ 47. To O. C. Rhea, two dollars and fifty cents, for two copies Russellville Herald.

§ 48. To Tho. M. Bowers, three dollars and seventy-five cents, for three copies Kentucky Times.

§ 49. To publisher Cynthiana Democrat, three dollars and seventy-five cents, for three copies Democrat.

§ 50. To publisher Kentucky People, three dollars and seventy-five cents, for three copies People.

§ 51. To publisher Lexington Statesman, two dollars and fifty cents, for two copies Statesman.

§ 52. To J. G. Craddock, two dollars and fifty cents, for two copies Paris True Kentuckian.

§ 53. To publisher Woodford Weekly, two dollars and fifty cents, for two copies Weekly.

§ 54. To publisher Jeffersonian Democrat, seven dollars and fifty cents, for six copies Democrat.

§ 55. To publisher Glasgow Times, two dollars and fifty cents, for two copies Times.

§ 56. To publisher Columbia Spectator, five dollars, for four copies Spectator.

§ 57. To publisher Maysville Bulletin, three dollars and seventy-five cents, for three copies Bulletin.

§ 58. To publisher Paducah Kentuckian, eighteen dollars, for six copies Daily Kentuckian.

§ 59. To publisher Flemingsburg Democrat, two dollars and fifty cents, for two copies Democrat.

§ 60. To publishers Louisville Sun, twelve dollars, for four copies Daily Sun.

§ 61. To Evans & Baker, six dollars and twenty-five cents, for five copies Bowling Green Democrat.

§ 62. To publisher Cincinnati Chronicle, six dollars, for two copies Daily Chronicle.

§ 63. To J. G. Ford, two dollars and fifty cents, for two copies Southern Shield.

§ 64. To the principal Clerks of the Senate and House of Representatives, such sums as they may certify, on oath, to the Auditor as due for enrolling bills and resolutions.

§ 65. To L. Tobin, thirty-one dollars, for articles furnished General Assembly.

§ 66. To S. Goin, forty-five dollars, for ice furnished General Assembly.

§ 67. To Mrs. M. B. Combs, one dollar and fifty cents, for making mail-bags for General Assembly.

§ 68. To W. H. Stanley, four hundred and twenty-three dollars and ninety-five cents ($423 95), for newspapers furnished General Assembly.

§ 69. To D. L. Price, two hundred and twenty-seven dollars and sixty cents ($227 60), for expenses of Committee on Charitable Institutions, while visiting Eastern and Western Lunatic Asylums, under order of the House of Representatives.

§ 70. To A. C Vallandingham, one hundred and ten dollars, for expenses of Committee on Charitable Institutions, while visiting Lunatic Asylums, under order of the Senate.

§ 71. To Mrs. Henry Morton, five dollars, for washing towels for General Assembly.

§ 72. To the Clerk of the House of Representatives, five dollars per day, from the 10th day of March to the close of this session, to pay for assistant clerk hire, under resolution of the House.

§ 73. To H. I. Todd, four dollars and fifty cents, for articles furnished General Assembly.

§ 74. To Mrs. Lettie Harris, five dollars, for washing towels for Senate.

§ 75. To S. I. M. Major, four hundred and fifty dollars, for Daily Frankfort Yeoman furnished General Assembly.

§ 76. To Louisville Courier-Journal Printing Company, four hundred and eighty dollars, for Daily Courier-Journals furnished General Assembly.

§ 77. To Wm. B. Hawkins, five dollars per day, for his services as Assistant Clerk of the Senate, during the sickness of the Chief Clerk; the time of service to be certified by J. A. Munday, Chief Clerk of Senate.

§ 78. That ten dollars be allowed State Librarian for postage.

§ 79. To the Louisville Ledger Company, one hundred and fifty dollars, for papers furnished General Assembly.

§ 80. This act shall take effect from its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon, in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

William Adair,	D. E. Downing,	Thomas H. Moss,
Silas Adams,	John Duvall,	Edward Myall,
George W. Anderson,	M. W. Ferguson,	Joshua B. Parks,
Ervin Anderson,	James P. Ford,	E. A. Pearson,
W. F. Barret,	W. W. Frazer,	Alfred T. Pope,
Alpheus W. Bascom,	John N. Furber,	W. V. Prather,
D. M. Bowen,	D. Hambleton,	G. W. Quick,
Orlando C. Bowles,	Ashton P. Harcourt,	William S. Richart,
Samuel W. Brents,	T. H. Hays,	Robert Simmons,
E. Burr,	James R. Hindman,	Henry H. Skiles,
William B. Caldwell,	Elijah Hogan,	R. K. Smith,
James E. Cantrill,	R. E. Humphrey,	R. M. Spalding,
Landon Carter,	William Irwin, sr.,	George W. Terrell,
J. S. Chrisman,	George M. Jessee,	J. L. Waring,
Thomas T. Cogar,	Francis M. Lowe,	W. J. Webb,
I. B. Combs,	J. J. McAfee,	A. D. Weller,
R. L. Cooper,	James B. McCreary,	John F. Wight,
F. R. Davis,	William J. McElroy,	L. Wilson,
J. C. DeMoss,	George R. McKee,	John Wolf—59.
George R. Diamond,		

Those who voted in the negative, were—

Robert C. Beauchamp,	Mason Morris,	P. M. Thurmond—4.
Asbury Dawson,		

Resolved, That the title of said bill be as aforesaid.

According to order, the House took up for further consideration a bill, entitled

A bill to amend chapter 83, Revised Statutes, title "Revenue and Taxation."

Mr. Dawson moved an amendment to said bill.

Pending discussion thereon, the hour for taking a recess, under the resolution heretofore adopted, arrived, and said bill was placed in the orders of the day.

Mr. Bowles, from the Committee on Enrollments, reported that the committee had examined enrolled bills and resolutions, which originated in the Senate, of the following titles, viz:

An act to authorize and empower the McLean county court to levy an additional tax, and to issue county bonds to build a new court-house and jail, and for other purposes;

An act for the benefit of the incorporated banks of Kentucky;

An act to authorize the county court of Butler county to issue bonds to raise the necessary funds to build a court-house;

An act to amend the charter of the town of Elizabethtown;

Resolution to print report of engineer of Big Sandy river;

Resolution in relation to a final adjournment of the present session of the General Assembly.

And also enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act for the benefit of Emily Wall, of Harrison county;

An act to change the boundary lines between the counties of Ohio and Butler;

An act to repeal an act, entitled "An act to prevent the destruction of fish in Green river and its tributaries," so far as it applies to Rhodes creek, in Daviess county;

An act to amend the charter of the Paducah Chephna Eshunum Burial Society;

An act to amend an act to incorporate the Cook Benevolent Institution;

An act to revive an act, entitled "An act to provide a mechanics' lien law for the city of Louisville and county of Jefferson," approved 2d day of March, 1869;

An act for the benefit of P. J. Scheeran, of Newport;

An act to amend the charter of the city of Covington;

An act to amend the charter of the Louisville and Nashville Railroad;

An act to amend the charter of the Bethel and Owingsville Turnpike Road Company;

An act to amend the charter of the Owingsville and Sherburn Turnpike Road Company;

An act to amend the charter of the Owingsville, Sharpsburg, and Bald Eagle Turnpike Road Company;

An act for the benefit of O. C. Bowles and George N. Brown, and their associates, lessees, and vendees;

An act to amend the 8th section of an act, entitled "An act to establish a new charter for the city of Louisville," approved 3d March, 1870, in relation to wharfmaster;

An act to authorize the trustees of the town of Alexandria, in Campbell county, to change an alley in said town;

An act for the benefit of Spencer county, in relation to the Louisville, Harrodsburg, and Virginia Railroad;

An act to authorize the marking and defining and establishing the line between the counties of Pendleton and Grant;

An act to incorporate the Kentucky Masonic Mutual Relief Association;

An act to incorporate the Gano Hill Turnpike Company;

An act to amend the charter of the city of Frankfort;

An act to amend an act, entitled " An act to amend and reduce into one the several acts relating to the town of Georgetown," approved March 1, 1847;

An act to amend an act, entitled "An act to incorporate the town of Pleasureville, in Henry county;"

An act to extend the corporate limits of the town of Blandville, in Ballard county;

An act to amend an act, entitled " An act to charter the Cabin Creek, Sand Hill, and Manchester Turnpike Road Company," approved March 14, 1870;

An act to amend the charter of the Masonic Widows' and Orphans' Home and Infirmary;

An act to amend an act, entitled "An act to prohibit the destruction of fish in Cumberland river above the falls;"

An act to amend an act, entitled "An act to establish the county of Elliott;"

An act for the benefit of Woodford county;

An act to amend the charter of the Paducah and Lovelaceville Gravel Road Company;

And had found the same truly enrolled.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Bowles inform the Senate thereof.

Mr. McKee, from the Committee on Revised Statutes, who were directed to prepare and bring in the same, reported

A bill to repeal an act, entitled "An act granting premiums on the scalps of wolves, wild cats, and red foxes in this State," approved March 21, 1870; and an act, entitled "An act granting premiums on red and grey foxes, wolves and wild cats' scalps in this State," approved February 17, 1866.

Which was read the first time.

Said bill was placed in the orders of the day.

Mr. Waring, from the Committee on Insurance, to whom was referred a bill from the Senate, entitled

An act for the benefit of Kentucky Farmers' Mutual Insurance Company,

Reported the same without amendment.

Ordered, That said bill be read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. McKee, from the Committee on Revised Statutes, who were directed to prepare and bring in the same, reported bills of the following titles, viz:

A bill to relieve sheriffs and other officers from penalties for failure to execute process in certain cases.

A bill to amend section 1, chapter 99, of the Revised Statutes.

Which were read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. McKee, from the Committee on Revised Statutes, who were directed to prepare and bring in the same, reported

A bill to amend section 476 of the Civil Code of Practice.

Which was read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Mr. Bowles moved to lay said bill on the table.

Said bill reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the 476th section of the Civil Code of Practice be, and the same is hereby, so amended as to read: *Provided*, The same shall not be applicable to *bona fide* day laborers, who are married, for sums less than fifty dollars, and no attachment or garnishee shall issue simply by virtue of a return of *nulla bona* to attach the wages of any *bona fide* married day laborer for sums under fifty dollars.

§ 2. This act to take effect from its passage.

The question being taken on the motion of Mr. Bowles, it was decided in the negative.

The yeas and nays being required thereon by Messrs. G. W. Anderson and Bowles, were as follows, viz:

Those who voted in the affirmative, were—

George W. Anderson,	D. Hambleton,	E. A. Pearson,
Ervin Anderson,	R. E. Humphrey,	Alfred T. Pope,
Orlando C. Bowles,	William Irwin, sr.,	Douglass L. Price,
James E. Cantrill,	Wm. J. McElroy,	G. W. Quick,
F. R. Davis,	Mason Morris,	R. K. Smith,
Asbury Dawson,	Thomas H. Moss,	J. L. Waring—20.
W. W. Frazer,	Joshua B. Parks,	

Those who voted in the negative, were—

Mr. SPEAKER (Bunch),	D. E. Downing,	George R. McKee,
William Adair,	John Duvall,	Edward Myall,
Wm. F. Barret,	John N. Furber,	William S. Richart,
Rob't C. Beauchamp,	Robert T. Glass,	George W. Riddle,
D. M. Bowen,	Clinton Griffith,	Robert Simmons,
Samuel W. Brents,	Ashton P. Harcourt,	R. M. Spalding,
E. Burr,	Ben. Hardin,	P. M. Thurmond,
William B. Caldwell,	Thomas H. Hays,	W. J. Webb,
Landon Carter,	Elijah Hogan,	A. D. Weller,
Thomas T. Cogar,	George M. Jessee,	John F. Wight,
I. B. Combs,	Francis M. Lowe,	L. Wilson,
R. L. Cooper,	G. W. Little,	John Wolf—38.
J. C. DeMoss,	James B. McCreary,	

Amendments were moved by Messrs. Caldwell and Furber, which were adopted.

Ordered, That said bill be recommitted to the Committee on Revised Statutes.

Mr. McKee, from the Committee on Revised Statutes, to whom was recommitted a bill from the Senate, entitled

An act to further protect the owners of stock living along the line of railways,

Reported the same with amendments thereto.

Said amendments were adopted.

Ordered, That said bill, as amended, be read a third time.

Said bill, as amended, was then read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That whenever any stock may be killed by any train of cars or locomotive upon any railway within this State, it shall be lawful for the owner of the stock so killed or crippled, after first giving the nearest station agent of the company to which said railway shall belong written notice of his intention to apply to a justice of the peace within the civil district in which said stock may have been killed or crippled; and said justice shall appoint three discreet and disinterested housekeepers of his county a board of appraisers, who, after being duly sworn, shall examine the stock so killed or crippled, and affix a value upon the same if killed, or assess the damages to the same if crippled, and return to said justice a written report, carefully describing the stock, stating whether they were killed or crippled, and also setting out the valuation or assessment of damage made by them; which report said justice shall preserve as a part of the records of his office.

§ 2. That in case the company shall fail, for the space of ninety days, to pay to the owner of the stock so killed or crippled the full amount assessed by said board of appraisers, and the cost attending the assessment, he shall have the right to institute an action in any court of competent jurisdiction, on the original cause of action; and if, upon the trial of this action, he recovers a verdict for an amount equal to the amount assessed in his favor by said board of appraisers, it shall be the duty of the court to render judgment in his favor for the amount of said verdict, and twenty-five per centum in addition thereto; but if he fails to recover a verdict for an amount equal to said assessment, the cost of this action shall be taxed against him.

§ 3. The justice of the peace and the three appraisers shall receive for their services under this act, each, the sum of one dollar, to be paid equally by the railroad company and the owner or owners of the stock killed or crippled.

§ 4. The provisions of this act shall not apply to any railroad company which shall inclose its entire line of road with a good and law-

ful fence, and good and sufficient cattle-gaps, and keep the same in repair.

§ 5. This act shall take effect sixty days after its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Caldwell an Barret, were as follows, viz :

Those who voted in the affirmative, were—

Wm. Adair,	D. E. Downing,	Thomas H. Moss,
Silas Adams,	John Duvall,	Edward Myall,
Ervin Anderson,	James P. Ford,	G. W. Quick,
Alpheus W. Bascom,	W. W. Frazer,	William S. Richart,
D. M. Bowen,	John N. Furber,	Henry H. Skiles,
Orlando C. Bowles,	Clinton Griffith,	R. M. Spalding,
Samuel W. Brents,	Ashton P. Harcourt,	Geo. W. Terrell,
E. Burr,	James R. Hindman,	P. M. Thurmond,
James E. Cantrill,	Elijah Hogan,	J. L. Waring,
J. S. Chrisman,	George M. Jessee,	A. D. Weller,
F. R. Davis,	Francis M. Lowe,	John F. Wight,
Asbury Dawson,	Wm. J. McElroy,	L. Wilson,
J. C. DeMoss,	George R. McKee,	John Wolf—41.
N. C. Dille,	Mason Morris,	

Those who voted in the negative, were—

George W. Anderson,	D. Hambleton,	E. A. Pearson,
Wm. F. Barret,	Thomas H. Hays,	Alfred T. Pope,
William B. Caldwell,	R. E. Humphrey,	W. V. Prather,
Landon Carter,	Wm. Irwin, sr.,	George W. Riddle,
I. B. Combs,	G. W. Little,	R. K. Smith,
R. L. Cooper,	Joshua B. Parks,	W. J. Webb—19.
M. W. Ferguson,		

Resolved, That the title of said bill be as aforesaid.

And then the House adjourned.

THURSDAY, MARCH 16, 1871.

Mr. Furber moved to reconsider the vote by which the House refused to order to a third reading, and thereby rejected, a bill, entitled

A bill for the benefit of circuit and county court clerks, and to equalize their pay.

Said motion was placed in the orders of the day.

A message was received from the Senate, announcing that they had received official information that the Governor had approved and signed enrolled bills, which originated in the Senate, of the following titles, viz:

An act repealing all acts declaring the Bayou DeChein a navigable stream.

An act to incorporate the Monterey and New Columbus Turnpike Road Company.

An act for the benefit of Wm. E. Clelland, sheriff of Mercer county.

An act to change the time of holding the quarterly and county courts in the county of Green.

An act to amend the road law of Henderson, Union, Taylor, and Grayson counties.

An act to authorize the sale of the poor-house property in Boyle county, and to reinvest the proceeds in a more suitable place in said county.

An act to authorize the county court of Taylor county to sell a part of the court-house lot in Campbellsville for certain purposes.

An act amending an act, entitled "An act to amend an act incorporating the Bardstown and Bloomfield Turnpike Road Company."

That they had disagreed to bills, which originated in the House of Representatives, of the following titles, viz:

An act to prevent the sale of spirituous liquors in the town of Middleburg, in Casey county.

An act granting to C. V. Pierce, of Daviess county, coffee-house privileges.

That they had passed bills which originated in the House of Representatives, of the following titles, viz:

An act for the benefit of W. J. Lile.

An act concerning the First Presbyterian Church of Shelbyville, to legalize a division of the property of said church, and to incorporate the divided parties in said church.

An act to incorporate the Glasgow Cemetery Company.

An act for the benefit of Hawkins McKee, jailer of Whitley county.

An act to amend an act to regulate the sale of spirituous liquors to minors.

An act to prohibit the sale of intoxicating liquors in the county of Bullitt.

An act to incorporate the Kentucky Baptist Historical Society.

With amendments to the last three named bills.

And that they had passed bills of the following titles, viz:

1. An act to incorporate the Barren River Lock and Dam Company.

2. An act to incorporate the Kentucky Mutual Benefit Association of Physicians.

Which were read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That they be referred to the Committee on Corporate Institutions.

On motion of Mr. Richart, leave is given to bring in a bill, entitled

A bill to amend an act incorporating the Kentucky River Turnpike Road Company.

Ordered, That the Committee on Internal Improvement prepare and bring in the same.

A message was received from the Senate, announcing that they had concurred in the amendment proposed by the House to a bill, which originated in the Senate, entitled

An act to further protect the owners of stock living along the line of railways.

And that they had passed bills, which originated in the House of Representatives, of the following titles, viz:

An act for the benefit of M. M. Teager, of Fleming county.

An act to incorporate the Bank of Maysville.

A message was received from the Governor by Mr. Samuels, Assistant Secretary of State, announcing that he had approved and signed enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to amend the charter of the city of Frankfort.

An act to amend an act, entitled "An act to establish the county of liott."

An act for the benefit of Woodford county.

An act for the benefit of P. J. Scheeran, of Newport.

An act to extend the corporate limits of the town of Blandville, in Ballard county.

An act to amend an act, entitled "An act to prohibit the destruction of fish in Cumberland river above the falls."

An act to amend an act, entitled "An act to amend and reduce into one the several acts relating to the town of Georgetown," approved March 1, 1847.

An act to authorize the trustees of the town of Alexandria, in Campbell county, to change an alley in said town.

An act to repeal an act, entitled "An act to prevent the destruction of fish in Green river and its tributaries," so far as it applies to Rhodes creek, in Daviess county.

An act to amend the charter of the Masonic Widows' and Orphans' Home and Infirmary.

An act to incorporate the Mill Grove and Paint Lick Creek Turnpike Road Company, in Madison county.

An act authorizing the trustees of the Silver Creek Academy to sell and convey the academy property, with power to reinvest the proceeds of the sale.

An act to incorporate the Parker's Mill, Stonewall, and Connersville Turnpike Company.

An act to amend the charter of the Paducah Chephna Eshunum Burial Society.

An act to amend an act to incorporate the Cook Benevolent Institution.

An act to revive an act, entitled "An act to provide a mechanics' lien law for the city of Louisville and county of Jefferson," approved 2d day of March, 1869.

An act to amend the 8th section of an act, entitled "An act to establish a new charter for the city of Louisville," approved 3d March, 1870, in relation to wharfmaster.

An act to amend the charter of the Paducah and Lovelaceville Gravel Road Company.

An act to amend the charter of the Owingsville, Sharpsburg, and Bald Eagle Turnpike Road Company.

An act to amend the charter of the Bethel and Owingsville Turnpike Road Company.

An act to amend the charter of the Owingsville and Sherburn Turnpike Road Company.

An act to incorporate the Gano Hill Turnpike Company.

An act for the benefit of O. C. Bowles and George N. Brown, and their associates, lessees, and vendees.

An act for the benefit of Spencer county, in relation to the Louisville, Harrodsburg, and Virginia Railroad.

An act to incorporate the Kentucky Masonic Mutual Relief Association.

An act for the benefit of Emily Wall, of Harrison county.

An act to amend an act, entitled "An act to charter the Cabin Creek, Sand Hill, and Manchester Turnpike Road Company," approved March 14, 1870.

An act to change the boundary lines between the counties of Ohio and Butler.

An act to amend the charter of the city of Covington.

An act to authorize the marking and defining and establishing the line between the counties of Pendleton and Grant.

An act to amend the charter of the Louisville and Nashville Railroad.

An act to incorporate Dreaming Creek Turnpike Road Company, in Madison county.

An act to incorporate the West Paris Bridge Company.

An act to incorporate the Mt. Eden and Camdensville Turnpike Road Company.

An act to amend an act, entitled "An act to amend the Concord and Tollsboro Turnpike Road Company."

An act to amend an act, entitled "An act for the benefit of the county school fund of Pendleton county," approved March 21, 1870.

An act to incorporate the Big Eagle and Connersville Turnpike Company.

An act to amend an act, entitled "An act incorporating Sherburne Bridge Company," approved March 9, 1854.

An act authorizing the county judge of Logan county to appropriate money to keep in repair the turnpike roads in Russellville district, in said county.

An act for the benefit of common school district No. 31, in Bullitt county.

An act for the benefit of M. H. Johns, of Lawrence county.

Bills were reported by the several committees, who were directed to prepare and bring in the same, of the following titles, viz:

By Mr. Cooper, from the Committee on Education—

A bill for the benefit of the Pendleton Academy.

By Mr. McKee, from the Committee on Revised Statutes—

A bill prohibiting officers of this State from assisting in the passage or rejection of any bill before the General Assembly.

By same—

A bill concerning the pay of the officers of the Court of Appeals.

By Mr. Pope, from a select committee—

A bill to incorporate the Falls City Tobacco Manufacturing Company.

By Mr. McCreary, from the Committee on Revised Statutes—

A bill for the benefit of the Bourbon County Agricultural Society.

Which were read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. McKee, from the Committee on Revised Statutes, to whom was recommitted a bill, entitled

A bill to fix the liabilities of express companies,

Reported the same without amendment.

Ordered, That said bill be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. McKee, from the Committee on Revised Statutes, who were directed to prepare and bring in the same, reported

A bill for the benefit of Benjamin D. Beall, clerk of the Campbell circuit court.

Which was read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

Said bill being engrossed, was then read a third time as follows, viz:

WHEREAS, Benjamin D. Beall, clerk of the Campbell circuit court, did, in obedience to an order of the Campbell county court of record, make a full and complete index and cross-index to all suits and records in his office, from the year one thousand seven hundred and ninety-eight down to the year one thousand eight hundred and sixty-four—the old ones having been lost, mislaid, and mutilated; and whereas, doubt exists as to the power of the Auditor to compensate him therefor; for remedy whereof,

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the Auditor of Public Accounts be, and he is hereby, authorized and directed to draw his warrant on the Treasurer of the State, in favor of Benjamin D. Beall, for the sum of eight hundred and fifty dollars, to be paid out of any money unexpended in the public Treasury.

§ 2. This act to take effect from its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon, in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Bunch),	N. C. Dille,	James B. McCreary,
William Adair,	D. E. Downing,	George R. McKee,
George W. Anderson,	H. G. Duerson,	Edward Myall,
Wm. F. Barret,	John Duvall,	Joshua B. Parks,
Alpheus W. Bascom,	M. W. Ferguson,	E. A. Pearson,
R. C. Beauchamp,	James P. Ford,	Alfred T. Pope,
Orlando C. Bowles,	W. W. Frazer,	W. V. Prather,
E. Burr,	John N. Furber,	Douglass L. Price,
James E. Cantrill,	Ashton P. Harcourt,	Wm. S. Richart,
Landon Carter,	J. B. Hays,	George W. Riddle,
J. S. Chrisman,	T. H. Hays,	Robert Simmons,
Thomas T. Cogar,	Elijah Hogan,	Henry H. Skiles,
I. B. Combs,	R. E. Humphrey,	R. M. Spalding,
R. L. Cooper,	William Irwin, sr.,	George W. Terrell,
F. R. Davis,	Alfred M. Jones,	P. M. Thurmond,
Asbury Dawson,	John W. Kendall,	J. L. Waring,
J. C. DeMoss,	Francis M. Lowe,	W. J. Webb—53.
Geo. R. Diamond,	J. J. McAfee,	

Those who voted in the negative, were—

Silas Adams,	William J. McElroy,	A. D. Weller,
D. Hambleton,	Mason Morris,	John F. Wight,
Jas. R. Hindman,	Thomas H. Moss,	L. Wilson—10.
G. W. Little,	G. W. Quick,	

Resolved, That the title of said bill be as aforesaid.

According to order, the House took up for further consideration a bill, entitled

A bill to amend chapter 83, Revised Statutes, title "Revenue and Taxation."

Th first amendment moved by Mr. Dawson was adopted.

The second amendment moved by Mr. Dawson was rejected.

Mr. Wight moved an amendment, which was rejected.

Mr. E. Anderson moved the following amendment, viz :

Add to section 4 these words : "And to each broker, in addition to the oaths heretofore prescribed in this act, the assessor shall administer the following oath : You do solemnly swear that you will give a true list of the amount of bills of exchange, gold, silver, and currency, and promissory notes owned by you, and also all the bonds and stocks of every description subject to taxation."

Mr. Wilson then moved to lay said bill and amendments on the table.

And the question being taken on the motion of Mr. Wilson, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Wilson and Griffith, were as follows, viz :

Those who voted in the affirmative, were—

Silas Adams,	Clinton Griffith,	William S. Richart,
Ervin Anderson,	J. B. Hays,	R. K. Smith,
Alpheus W. Bascom,	J. J. McAfee,	George W. Terrell,
Robt. C. Beauchamp,	James B. McCreary,	P. M. Thurmond,
Asbury Dawson,	Mason Morris,	John F. Wight,
M. W. Ferguson,	G. W. Quick,	L. Wilson—19.
James P. Ford,		

Those who voted in the negative, were—

Mr. SPEAKER (Bunch),	F. R. Davis,	William J. McElroy,
William Adair,	George R. Diamond,	George R. McKee,
Geo. W. Anderson,	D. E. Downing,	Edward Myall,
Wm. F. Barret,	H. G. Duerson,	E. A. Pearson,
D. M. Bowen,	John Duvall,	Alfred T. Pope,
Orlando C. Bowles,	W. W. Frazer,	Douglass L. Price,
Samuel W. Brents,	John N. Furber,	George W. Riddle,
E. Burr,	Ashton P. Harcourt,	Robert Simmons,
William B. Caldwell,	James R. Hindman,	Henry H. Skiles,

James E. Cantrill, Landon Carter, J. S. Chrisman, Thomas T. Cogar, I. B. Combs, R. L. Cooper, Elijah Hogan, R. E. Humphrey, William Irwin, sr., Alfred M. Jones, Francis M. Lowe, Richard M. Spalding, J. L. Waring, W. J. Webb, A. D. Weller, John Wolf—43.

The question was then taken on the adoption of the amendment proposed by Mr. Anderson, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. E. Anderson and Dawson, were as follows, viz:

Those who voted in the affirmative, were—

Silas Adams, Ervin Anderson, Alpheus W. Bascom, James E. Cantrill, Landon Carter, Asbury Dawson, George R. Diamond, N. C. Dille, John Duvall, Ashton P. Harcourt, James R. Hindman, Elijah Hogan, Francis M. Lowe, James B. McCreary, George R. McKee, Thomas H. Moss, Joshua B. Parks, E. A. Pearson, Alfred T. Pope, G. W. Quick, William S. Richart, Robert Simmons, R. K. Smith, P. M. Thurmond, J. L. Waring, John F. Wight, L. Wilson, John Wolf—28.

Those who voted in the negative, were—

Mr. SPEAKER (Bunch), William Adair, George W. Anderson, William F. Barret, Robert C. Beauchamp, D. M. Bowen, Orlando C. Bowles, Samuel W. Brents, E. Burr, William B. Caldwell, J. S. Chrisman, Thomas T. Cogar, I. B. Combs, R. L. Cooper, F. R. Davis, J. C. DeMoss, D. E. Downing, James P. Ford, W. W. Frazer, John N. Furber, J. B. Hays, R. E. Humphrey, Wm. Irwin, sr., Wm. J. McElroy, Edward Myall, Douglass L. Price, George W. Riddle, Richard M. Spalding, George W. Terrell, W. J. Webb, A. D. Weller—31.

And so said amendment was rejected.

Pending discussion thereon, the hour for taking a recess, under the rule, arrived, and the further consideration of said bill was postponed.

Mr. Cogar, from a select committee, who were directed to prepare and bring in the same, reported

A bill to provide for the improvement of Tradewater river.

Which was read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Said bill was placed in the orders of the day.

Mr. Pope, from the Committee on the Judiciary, who were directed to prepare and bring in the same, reported

A bill for the benefit of the sheriff of Jefferson county.

Which was read the first time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That from and after the passage of this act the sheriff of Jefferson county be, and he is hereby, allowed the sum of two dollars per day for each of three deputies—one to be employed in attendance upon the Jefferson circuit court, one in the Jefferson court of common pleas, and one in the Jefferson county and quarterly courts—for each day that they shall be employed in attending said courts.

§ 2. Upon presentation of the certificate of each of the judges of said courts, showing the number of days of the service of said deputies in said courts to the Auditor, he shall draw his warrant in favor of said sheriff for two dollars per day, for the service of each one of said deputies upon the Treasurer; and this sum shall be in lieu of the pay for the *ex-officio* service of the sheriff of Jefferson county, now allowed by law.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Mr. Wilson moved the following amendment, viz:

Add to the bill these words: And that the county of Jefferson shall pay the additional expenses.

Which was adopted.

The question was then put, "Shall the bill be engrossed and read a third time?" and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Adams and Brents, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Bunch),	J. C. DeMoss,	G. W. Little,
William Adair,	D. E. Downing,	Mason Morris,
Alpheus W. Bascom,	Ashton P. Harcourt,	Thomas H. Moss,
D. M. Bowen,	Elijah Hogan,	Wm. S. Richart,
Thomas T. Cogar,	R. E. Humphrey,	L. Wilson—17.
I. B. Combs,	Francis M. Lowe,	

Those who voted in the negative, were—

Silas Adams,	Clinton Griffith,	Douglass L. Price,
George W. Anderson,	D. Hambleton,	G. W. Quick,
Ervin Anderson,	T. H. Hays,	Robert Simmons,
Robert C. Beauchamp,	Wm. Irwin, sr.,	Henry H. Skiles,
Samuel W. Brents,	Alfred M. Jones,	R. K. Smith,
E. Burr,	John W. Kendall,	Richard M. Spalding,
R. L. Cooper,	James B. McCreary,	P. M. Thurmond,
F. R. Davis,	William J. McElroy,	J. L. Waring,
Asbury Dawson,	Geo. R. McKee,	W. J. Webb,
George R. Diamond,	Edward Myall,	A. D. Weller,

W. W. Frazer, Joshua B. Parks, John F. Wight,
John N. Furber, Alfred T. Pope, John Wolf—37.
Robert T. Glass,

And so said bill was rejected.

Mr. Glass then moved to reconsider the vote by which said bill was rejected.

Mr. Furber moved to lay the motion of Mr. Glass on the table.

And the question being taken on the motion of Mr. Furber, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Furber and Combs, were as follows, viz:

Those who voted in the affirmative, were—

William Adair,	John Duvall,	William J. McElroy,
Silas Adams,	James P. Ford,	Thomas H. Moss,
Ervin Anderson,	W. W. Frazer,	Edward Myall,
Alpheus W. Bascom,	John N. Furber,	G. W. Quick,
Rob't C. Beauchamp,	D. Hambleton,	Wm. S. Richart,
E. Burr,	Ben. Hardin,	Geo. W. Terrell,
I. B. Combs,	James R. Hindman,	P. M. Thurmond,
R. L. Cooper,	Elijah Hogan,	A. D. Weller,
F. R. Davis,	Francis M. Lowe,	John F. Wight,
Asbury Dawson,	G. W. Little,	John Wolf—32.
D. E. Downing,	James B. McCreary,	

Those who voted in the negative, were—

Mr. SPEAKER (Bunch),	A. P. Harcourt,	Alfred T. Pope,
George W. Anderson,	Thomas H. Hays,	Douglass L. Price,
D. M. Bowen,	R. E. Humphrey,	Robert Simmons,
Samuel W. Brents,	William Irwin, sr.,	Henry H. Skiles,
Thomas T. Cogar,	Alfred M. Jones,	R. K. Smith,
J. C. DeMoss,	John W. Kendall,	R. M. Spalding,
George R. Diamond,	George R. McKee,	J. L. Waring,
Robert T. Glass,	Mason Morris,	W. J. Webb,
Clinton Griffith,	Joshua B. Parks,	L. Wilson—27.

And so the House refused to reconsider said vote.

The House then took up for further consideration a bill, entitled

A bill to repeal an act, entitled "An act granting premiums on the scalps of wolves, wild cats, and red foxes in this State," approved March 21, 1870; and an act, entitled "An act granting premiums on red and grey foxes, wolves and wild cats' scalps in this State," approved February 17, 1866.

Ordered, That said bill be read a second time.

Said bill was then read a second time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That an act, entitled "An act, entitled 'An act granting premiums on the scalps of wolves, wild cats, and red foxes in this

State;' " and an act, entitled " An act granting premiums on red and grey foxes, wolves, and wild cats' scalps in this State," approved February 17, 1866, be, and the same are hereby, repealed.

Mr. McKee moved the following amendment thereto, viz:

Add to said bill: And all acts and parts of acts granting premiums on wolves, wild cats, red and grey foxes, are hereby repealed.

Mr. Diamond moved to lay said bill and amendment on the table.

And the question being taken on the motion of Mr. Diamond, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Bowles and Diamond, were as follows, viz:

Those who voted in the affirmative, were—

William Adair,	R. L. Cooper,	Mason Morris,
Silas Adams,	F. R. Davis,	Thomas H. Moss,
W. F. Barret,	George R. Diamond,	Douglass L. Price,
Alpheus W. Bascom,	J. B. Hays,	G. W. Quick,
D. M. Bowen,	Elijah Hogan,	Henry H. Skiles,
Orlando C. Bowles,	John W. Kendall,	R. K. Smith,
Thomas T. Cogar,	G. W. Little,	W. J. Webb,
I. B. Combs,	James B. McCreary,	A. D. Weller—24.

Those who voted in the negative, were—

Mr. SPEAKER (Bunch),	John N. Furber,	George R. McKee,
Ervin Anderson,	Robert T. Glass,	Edward Myall,
Robert C. Beauchamp,	D. Hambleton,	Joshua B. Parks,
Samuel W. Brents,	Ashton P. Harcourt,	Alfred T. Pope,
E. Burr,	Ben. Hardin,	W. V. Prather,
Landon Carter,	T. H. Hays,	William S. Richart,
J. S. Chrisman,	James R. Hindman,	Robert Simmons,
Asbury Dawson,	R. E. Humphrey,	R. M. Spalding,
J. C. DeMoss,	William Irwin, sr.,	George W. Terrell,
D. E. Downing,	Alfred M. Jones,	P. M. Thurmond,
John Duvall,	Francis M. Lowe,	John F. Wight,
James P. Ford,	William J. McElroy,	John Wolf—37.
W. W. Frazer,		

Mr. Bowles moved to recommit said bill to the Committee on Revised Statutes.

Mr. McKee moved to amend the motion of Mr. Bowles, by adding thereto: " With instructions to report in 10 minutes."

The question was then taken on the amendment proposed by Mr. McKee to the motion of Mr. Bowles, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Diamond and Bowles, were as follows, viz:

Those who voted in the affirmative, were—

Silas Adams,	George R. Diamond,	Thomas H. Moss,
Alpheus W. Bascom,	Robert T. Glass,	Alfred T. Pope,
Orlando C. Bowles,	Elijah Hogan,	Douglass L. Price,
Thomas T. Cogar,	John W. Kendall,	G. W. Quick,
I. B. Combs,	G. W. Little,	W. J. Webb—15.

Those who voted in the negative, were—

Mr. SPEAKER (Bunch),	James P. Ford,	Edward Myall,
William Adair,	W. W. Frazer,	Joshua B. Parks,
G. W. Anderson,	John N. Furber,	W. V. Prather,
Wm. F. Barret,	D. Hambleton,	Wm. S. Richart,
Rob't C. Beauchamp,	Ashton P. Harcourt,	Robert Simmons,
D. M. Bowen,	Ben. Hardin,	R. K. Smith,
Samuel W. Brents,	J. B. Hays,	R. M. Spalding,
E. Burr,	Thomas H. Hays,	Geo. W. Terrell,
Wm. B. Caldwell,	J. R. Hindman,	P. M. Thurmond,
Landon Carter,	R. E. Humphrey,	J. L. Waring,
J. S. Chrisman,	William Irwin, sr.,	A. D. Weller,
R. L. Cooper,	Alfred M. Jones,	John F. Wight,
F. R. Davis,	Francis M. Lowe,	L. Wilson,
Asbury Dawson,	Wm. J. McElroy,	John Wolf—44.
D. E. Downing,	George R. McKee,	

On motion of Mr. McKee, the further consideration of said bill was postponed till to-morrow, at 9½ o'clock, A. M.

Mr. Bowles, from the Committee on Enrollments, reported that the committee had examined enrolled bills and a resolution, which originated in the Senate, of the following titles, viz:

An act providing for the payment of certain claims allowed by the Rockcastle circuit court;

An act to amend the 3d section, 2d article, 32d chapter, of the Revised Statutes;

An act transferring the property of, and debts owing to, the trustees of the Harrodsburg Academy, known also as the Mercer County Seminary, to the board of trustees of the town of Harrodsburg, for common school purposes, and authorizing said board to sue for the same;

An act for the benefit of Kentucky Farmers' Mutual Insurance Company;

An act to authorize the counties of Madison, Estill, Lee, Owsley, the city of Louisville, and any other cities, counties, or towns in this State, corporations or individuals, to subscribe for stock in a Branch of the Louisville and Nashville Railroad, from Richmond to Irvine and Scott's Landing, or Beattyville, in Kentucky;

Resolution in relation to Irish exiles;

And also enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to incorporate a Steam Ferry Company at the mouth of the Ohio river, in Ballard county;

An act for the benefit of manufacturing, furnace, and mining establishments in the counties of Greenup, Boyd, Carter, and Lawrence;

An act to prohibit the sale of spirituous, vinous, and malt liquors in the village of Paint Lick, Garrard county;

An act to authorize the city of Dayton, in Campbell county, to establish a common school system;

An act for the benefit of E. B. Treadaway, former sheriff of Owsley county;

An act to amend the charter of the town of Cromwell, in Ohio county;

An act to prevent the sale of spirituous, vinous, or malt liquors in the county of Jackson;

An act for the benefit of Thos. Monarch, late tax collector of Daviess county;

An act to extend and enlarge the corporate limits of the town of South Carrollton, in Muhlenburg county;

An act to amend the charter of the town of Mayfield;

An act to incorporate the town of Tollsboro;

An act to incorporate the Quick's Run and Stout's Landing Turnpike Company;

An act to amend the charter of the town of Midway;

An act to amend 2d section of an act, entitled "An act to amend the charter of the town of Springfield;"

And had found the same truly enrolled.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Bowles inform the Senate thereof.

Mr. Barret, from the Committee on the Judiciary, to whom was referred a bill from the Senate, entitled

An act to establish a chancery court for the counties of Campbell, Kenton, and Bracken,

Reported the same with amendments thereto.

Pending the consideration of said bill, the House adjourned.

FRIDAY, MARCH 17, 1871.

The following petition and remonstrance were presented, viz:

By Mr. Spalding—

1. The petition of citizens of New Market, Marion county, praying the repeal of an act for the extension of the corporate limits of said town and the opening of its streets.

By Mr. Bowen—

2. The remonstrance of citizens and attorneys of Frankfort, against the increase of the jurisdiction of the city judge of Frankfort.

Which were received, the reading dispensed with, and referred—the 1st to the Committee on Internal Improvement, and the 2d to the Committee on the Judiciary.

Leave was given to bring in the following bills, viz:

On motion of Mr. Cooper—

1. A bill to authorize the county judge of Mason county to vote certain stock in the Maysville and Lexington Railroad, Northern Division.

On motion of Mr. Jessee—

2. A bill for the benefit of the New Castle Constitutionalist, of Henry county.

Ordered, That the Committee on County Courts prepare and bring in the 1st, and the Committee on Revised Statutes the 2d.

Bills were reported by the several committees who were directed to prepare and bring in the same, of the following titles, viz:

By Mr. Price, from the Committee on Charitable Institutions—

1. A bill to appropriate money, and provide for the erection of an additional building at the Eastern Lunatic Asylum.

By Mr. Frazer, from the same committee—

2. A bill to appropriate money, and provide for the erection of an additional building at the Institution for the Education of Feeble-minded Children.

Which were read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That they be recommitted to the same committee; and that Messrs. Cooper, Spalding, and Caldwell, be added to said committee in the consideration thereof.

Mr. McCreary, from the Committee on Railroads, who were directed to prepare and bring in the same, reported

A bill to amend an act, entitled "An act to incorporate the Kentucky Central Railroad Company."

Which was read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Mr. Wolf moved an amendment thereto, which was adopted.

Ordered, That said bill, as amended, be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Barret, from the Committee on Education, to whom was referred a bill from the Senate, entitled

An act for the benefit of Murray common school district, in Calloway county,

Reported the same without amendment, and without the expression of opinion thereon.

Ordered, That said bill be read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

The House took up the amendment proposed by the Senate to a bill, which originated in the House of Representatives, entitled

An act to prohibit the sale of intoxicating liquors in the county of Bullitt.

Said amendment was concurred in.

A message was received from the Governor by Mr. Samuels, Assistant Secretary of State, announcing that he had approved and signed enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to prohibit the sale of spirituous, vinous, and malt liquors in the village of Paint Lick, Garrard county.

An act to prevent the sale of spirituous, vinous, or malt liquors in the county of Jackson.

An act to amend the charter of the town of Cromwell, in Ohio county.

An act to incorporate a Steam Ferry Company at the mouth of the Ohio river, in Ballard county.

An act to amend the charter of the town of Mayfield.

An act to incorporate the town of Tollsboro.

An act for the benefit of Thos. Monarch, late tax collector of Daviess county.

An act to authorize the city of Dayton, in Campbell county, to establish a common school system.

An act to incorporate the Quick's Run and Stout's Landing Turnpike Company.

An act for the benefit of manufacturing, furnace, and mining establishments in the counties of Greenup, Boyd, Carter, and Lawrence.

An act for the benefit of E. B. Treadaway, former sheriff of Owsley county.

An act to extend and enlarge the corporate limits of the town of South Carrollton, in Muhlenburg county.

An act to amend 2d section of an act, entitled "An act to amend the charter of the town of Springfield."

The House took up for further consideration a bill from the Senate, entitled

An act to establish a chancery court for the counties of Campbell, Kenton, and Bracken.

The amendments reported by the committee were adopted.

Ordered, That said bill, as amended, be read a third time.

Said bill, being amended, was then read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That there is hereby established a court of record, to be styled the chancery court for the counties of Campbell and Kenton, which shall have a seal and clerk in each county, and be held by one judge, to be styled the chancellor of said counties, having all the qualifications of a judge of the circuit court of this State, who shall be elected by the qualified voters of said counties at the same time, in the same manner, and for the same term, as judges of the circuit courts; and in causes within its jurisdiction it shall have all the powers, rights, privileges, and immunities that circuit courts now

have in like cases, and be governed by the Code of Practice in civil cases, and the several amendments thereto, except so far as the practice in said chancery court shall be herein otherwise regulated: *Provided*, That the first chancellor shall be appointed by the Governor, and hold his office until the August election, 1871, and until the chancellor then elected shall be commissioned and qualify; and the chancellor elected at said August election, 1871, shall hold his office until the end of the present term of circuit judges.

§ 2. The chancellor shall be commissioned by the Governor, and shall receive the same salary as may, from time to time, be payable to judges of the circuit courts of this State, to be paid in like manner, and which may be increased, but not diminished, during the official term.

§ 3. There shall be a seal for said court for each of said counties, to be provided as seals for circuit courts; it shall have the arms of the Commonwealth, and the words "chancery court" and the name of the county engraved thereon.

§ 4. The clerk of the circuit court for each of said counties for the time being shall be *ex-officio* clerk of said chancery court in his county, and shall, in his official acts as clerk of the chancery court, be so styled; and he may, with the consent of said chancery court, appoint and qualify deputy clerks thereof.

§ 5. It shall be the duty of the sheriff and other county officers in each of said counties to execute process and orders for, and attend on, said chancery court, in the same manner as they are now required to perform like services for the circuit courts; and they and the clerk shall be responsible upon their official bonds for all breaches of duty connected with said chancery court; and all process and orders of the said chancery court to other counties in this State shall be executed under like responsibilities by the ministerial officers of said counties.

§ 6. The chancellor shall be a conservator of the peace, and shall have power to grant injunctions, orders of arrest, attachments, restraining orders, and other provisional remedies, and to issue writs of *habeas corpus*, and to hear and determine the same; and to administer oaths in like manner with judges of the circuit courts, and in all causes in the chancery court may do such things out of court as circuit judges may do in like causes pending in the circuit courts.

§ 7. The said chancery court shall have exclusive jurisdiction in each of said counties of all causes by equitable proceedings where the circuit courts have heretofore had jurisdiction, and concurrent with the circuit courts in writs of mandamus and prohibition, and summary proceedings against public officers and attorneys at law; and shall have like power and authority with the circuit court to enforce its judgments, decrees, and orders, and to punish contempts of its authority. It shall have exclusive jurisdiction in said counties of appeals, where the circuit court now has, from inferior tribunals, of all causes of exclusively equitable cognizance; and to hear and determine all causes by ordinary proceedings which may be transferred to said chancery court from the circuit court of either of said counties, wherein the judge of the circuit court cannot properly pre-

side; and to empannel juries to try the same, and such issues of fact in any suit in equity pending before it, as may be directed to be tried by ordinary proceedings; and to summon and compel the attendance of witnesses in all cases and motions where oral evidence may be admissible: *Provided*, That any action or proceeding in said chancery court, wherein the chancellor cannot properly preside, shall be transferred to the circuit court for the proper county, which shall then have jurisdiction of the same; and in no instance shall a special judge be elected to try such cause unless it shall also appear that the circuit judge is also disqualified from presiding therein; nor shall a special judge of said chancery court be elected, where the chancellor is absent or unable, from any cause, to be present and preside, unless it shall appear that a circuit judge cannot be obtained to preside, and that the business is of a pressing nature; and any circuit judge may preside in said chancery court in case of the absence or inability of the chancellor.

§ 8. No ordinary action, except as before provided, shall be commenced or prosecuted in said chancery court; and if any such action or proceeding be commenced in said court, the court shall, upon the proper motion, order the same to be transferred at the cost of the plaintiff to the circuit court of the proper county; but if judgment shall be rendered in any such action, and the error as to the kind of proceedings adopted shall have been waived, as provided in section twelve of the Civil Code of Practice, such judgment shall not be vacated on the ground of such error, but be enforced as if the same were rendered in the circuit court.

§ 9. The said chancery court may make such rules and regulations as it may deem best for the dispatch of business, not contrary to law, and may enforce the same. The first three days of any term of said court may be devoted to calling over the appearances and making up issues, and causes and motions shall be heard at such times as the court may fix, unless for any reason the same may be passed or continued by agreement or for cause. All causes shall be docketed in the order in which they may be instituted, and days shall be fixed by the court for trial of ordinary issues and actions in ordinary proceedings, which may be transferred from the circuit court; and the court may, by rule, require counsel to file briefs of authorities and points relied on at least one day before the hearing of any cause which may be contested.

§ 10. The said chancery court shall appoint and may remove its own master commissioner and receiver in each county, under the regulations prescribed by law in case of such officers, and may permit such master to appoint deputies; and the court may also, when in its judgment it shall be proper, appoint special commissioners and receivers, under the regulations prescribed by law. Examiners to take depositions in each of said counties shall also hereafter be appointed by said chancery court.

§ 11. The rules of evidence in said chancery court shall be the same as in like cases in the circuit courts; but the court may, in cases where the parties consent, or justice may demand, or where reasonable notice shall have been given to the opposite party, by

filing the same in open court and lodging it among the papers in the cause, hear oral evidence on the trial of any action or proceeding in equity, and shall have power to summon and compel the attendance of witnesses for the purpose of testifying in such cases; and such evidence, and all exceptions thereto, may be made part of the record by bills of evidence and exceptions as now provided by law in ordinary cases.

§ 12. The record books and necessary furniture for the clerks' offices of said chancery court shall be furnished as in case of circuit courts; and the cities of Newport and Covington shall each be required to prepare a fire-proof room, adjacent to the office of the circuit court clerk in each of said cities, to keep the records and papers of the said chancery court, and the same shall also be the office of the chancellor and of the master commissioner and clerk of said chancery court.

§ 13. The said chancery court shall be held at the usual places of holding circuit courts in the cities of Newport, in Campbell county, and Covington, in Kenton county, and terms thereof may be held, when ordered by the chancellor, at Alexandria, in Campbell county, and Independence, in Kenton county: *Provided*, That the chancellor may hear causes and motions specially at his office in each county, or at Chambers, and no cause shall be entered as submitted until the same shall have been fully argued; and upon hearing a cause at any other place than the regular place of holding said chancery court, the chancellor may direct the clerk, in writing, to enter the same submitted, and it shall be so entered.

§ 14. Immediately after the chancellor first appointed shall have been commissioned and qualified, he and the circuit judge for said counties of Campbell and Kenton shall meet, examine the dockets, and jointly direct, by specification in writing, the transfer of causes from the circuit court in each of said counties to the chancery court, and the clerk shall transfer the same accordingly, and file the said direction in the office of the clerk of the circuit court, and a certified copy of the same in the office of the clerk of the chancery court. All suits in equity, pending and undetermined in the circuit court at said time in which the chancellor can properly preside, shall, by said direction, be transferred as aforesaid, as well as all ordinary actions pending, in which the circuit judge cannot preside, unless it shall appear in any case, by ordinary proceedings, the chancellor cannot properly preside therein; and the chancery court shall have jurisdiction of all cases so transferred, and the circuit court shall retain jurisdiction of all cases not so transferred: *Provided*, That no cause in equity, pending in the circuit court in which said court may have made orders, or rendered judgments or decrees, in whole or in part, settling the rights of parties, and which have been retained on the docket for future proceedings and final disposition, shall be so transferred, unless the circuit judge cannot properly preside therein.

§ 15. Any cause or proceeding may be transferred from the circuit to the chancery court, or from the chancery court to the circuit court, by the consent of the parties, filed in writing, or entered upon the record of either; and in relation to all transfers from the circuit

to the chancery court, and all bills or petitions of review, or in the nature thereof, or to vacate judgments in equity causes, the provisions of the second section of an act, entitled "An act to amend an act, entitled 'An act concerning the Louisville Chancery Court,'" approved March 7th, 1854, shall apply to the chancery court hereby established.

§ 16. The first term of the said chancery court for Campbell county shall be held in the city of Newport, commencing on the second Monday in March, 1871; and for the county of Kenton in the city of Covington, on the fourth Monday in the same month, and each term shall continue as many juridical days as may be necessary, so as not to conflict with any other regular term of said court; and at each of said terms the chancellor shall fix the future terms of said court for the county, and cause his orders in relation thereto to be entered of record and published in such manner as he may direct: *Provided*, That a regular term of said court shall be held in each of said counties in each month of the year except the months of July and August, which shall be discretionary with the court; and the regular terms may be changed by the court by an order of record, entered at the January term in each year, to take effect sixty days thereafter: *And provided*, That the chancellor may order special terms and extend terms, as in case of circuit courts.

§ 17. When juries shall be necessary in said chancery court, the court shall direct venires to issue to the sheriff, or other proper officer, to summon the same, and they shall be summoned accordingly; and the court may make orders for the payment of jurors who have been empanneled and served more than one day, and such jurors shall be paid accordingly by the Trustee of the Jury Fund: *Provided*, That in making such orders the first day of service shall be excluded.

§ 18. The said chancery court shall have power to allow and certify to the Auditor all claims against the Treasury of this State connected with said court.

§ 19. The city councils of the cities of Covington and Newport are hereby authorized and empowered to allow and pay to the chancellor of said court such annual compensation, in addition to that hereinbefore provided for, as such councils may respectively deem just and proper; but such additional compensation shall not be diminished during the term for which any chancellor shall have been elected or appointed.

§ 20. That this act shall take effect from and after its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon, in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Bunch),	George R. Diamond,	George R. McKee,
George W. Anderson,	H. G. Duerson,	Thomas H. Moss,
Ervin Anderson,	John Duvall,	Edward Myall,
Wm. F. Barret,	M. W. Ferguson,	Joshua B. Parks,

Alpheus W. Bascom,	W. W. Frazer,	E. A. Pearson,
R. C. Beauchamp,	John N. Furber,	Alfred T. Pope,
D. M. Bowen,	R. T. Glass,	W. V. Prather,
Orlando C. Bowles,	Clinton Griffith,	Douglass L. Price,
Samuel W. Brents,	Ashton P. Harcourt,	William S. Richart,
E. Burr,	J. B. Hays,	George W. Riddle,
William B. Caldwell,	Thomas H. Hays,	Robert Simmons,
Landon Carter,	Wm. Irwin, sr.,	Henry H. Skiles,
J. S. Chrisman,	George M. Jessee,	R. K. Smith,
Thomas T. Cogar,	Alfred M. Jones,	R. M. Spalding,
I. B. Combs,	John W. Kendall,	Geo. W. Terrell,
R. L. Cooper,	Francis M. Lowe,	P. M. Thurmond,
F. R. Davis,	J. J. McAfee,	W. J. Webb,
J. C. DeMoss,	James B. McCreary,	L. Wilson—54.

Those who voted in the negative, were—

Wm. Adair,	James R. Hindman,	G. W. Quick,
Asbury Dawson,	G. W. Little,	A. D. Weller,
D. E. Downing,	Wm. J. McElroy,	John Wolf—10.
Ben. Hardin,		

Resolved, That the title of said bill be as aforesaid.

A message was received from the Senate, announcing that they had passed bills, which originated in the House of Representatives, of the following titles, viz:

An act to appropriate certain moneys due by the county of Wayne to the Public Treasury, in aid of the construction of a certain turnpike road.

An act to amend an act, approved March 15, 1869, abolishing the Board of Internal Improvement.

An act to regulate the sale of liquors in the town of Canmer, in Hart county, and within one mile thereof.

With an amendment to the last named bill.

A message was received from the Senate, announcing that they had received official information that the Governor had approved and signed enrolled bills and resolutions, which originated in the Senate, of the following titles, viz:

An act to amend the charter of the town of Elizabethtown.

An act to prohibit the sale of intoxicating liquors in Sonora, in Hardin county.

An act incorporating the Bardstown and Shepherdsville Turnpike Road Company.

An act to authorize and empower the McLean county court to levy an additional tax, and to issue county bonds to build a new court-house and jail, and for other purposes.

An act incorporating the Bloomfield and Bardstown Turnpike Road Company.

An act to authorize the county court of Butler county to issue bonds to raise the necessary funds to build a court-house.

An act for the benefit of turnpike roads in Bath county.

An act for the benefit of Johnson county.

An act concerning the advertisement of sheriffs' and commissioners' sales of land in Bath county.

An act for the benefit of S. S. McFatridge, late sheriff of Mercer county.

An act to change the time of holding the Warren quarterly court.

An act to vest the trustees of Cave City with additional powers.

An act to authorize the Union county court to appoint a sheriff for said county.

An act to incorporate the South Kentucky Railroad Company.

Resolution to print report of engineer of Big Sandy river.

Resolution in relation to a final adjournment of the present session of the General Assembly.

That they had concurred in a resolution, which originated in the House of Representatives, entitled

Resolution on the death of Hon. Daniel Breck.

That they had disagreed to a bill, which originated in the House of Representatives, entitled

An act to incorporate the Bank of the Metropolis.

That they had concurred in the amendment proposed by the House to a bill, which originated in the Senate, entitled

An act for the benefit of A. C. Cox, late sheriff of Green county.

That they had passed bills which originated in the House of Representatives, of the following titles, viz:

An act for the benefit of S. B. Huey, of Boone county.

An act for the benefit of Knox county.

An act to incorporate the Farmers' and Traders' Bank, of Shelbyville.

An act to incorporate the Warehouse Banking Company.

An act to authorize the condemnation of land for cemetery purposes in Pendleton county.

An act for the benefit of J. W. Hazelrigg and the heirs of E. E. Duke, deceased.

An act to amend an act, entitled "An act to incorporate the Webster Coal Company," approved March 9, 1867.

An act to incorporate the Henderson Fence Company.

An act to amend an act, entitled "An act to incorporate the Bowling Green Manufacturing Company."

An act to incorporate the Kentucky River Salt Manufacturing Company, in Perry county.

An act to amend an act, entitled "An act to incorporate the Eagle Petroleum and Mineral Company."

An act to amend the charter of the Kentucky Real Estate and Building Company.

An act for the benefit of Gen. E. Kirby Smith.

An act to amend an act, entitled "An act to charter the Louisville Naphthaline Steel Manufacturing Company."

An act to amend the charter of the Deposit Bank of Frankfort.

An act to incorporate Campbell County Kentucky Bank.

An act authorizing the county court for the county of Muhlenburg to release James C. Moorman from his bond, whereby a negro girl, Caroline, was apprenticed to him.

An act to authorize the Pendleton county court to borrow money for certain purposes.

An act to legalize certain acts of the Pendleton county court.

An act for the benefit of John E. Walton, of Boone county.

An act for the benefit of Nelson Whitaker, of Mason county.

An act for the benefit of Wm. D. Dye, of Lincoln county.

An act for the benefit of N. B. Campbell, of Josh Bell county.

An act for the benefit of John M. Fish, of Rockcastle county.

An act to appropriate money to the Western Lunatic Asylum.

An act for the benefit of A. C. Kincheloe, of Spencer county.

An act authorizing Washington county court to levy an ad valorem tax of not exceeding twenty cents on the one hundred dollars, to pay the indebtedness of the county on account of turnpike roads.

An act for the benefit of Washington county.

An act for the benefit of James Faircloth, of Mercer county.

An act to amend an act, entitled "An act for the benefit of the county of Morgan," approved January 17, 1867.

An act appointing commissioners to settle with the county judges of the counties of Knox and Josh Bell in relation to the tolls received by them from gate-keepers on the Wilderness Turnpike Road.

An act to authorize the Elliott county court to issue bonds to raise a fund for the erection of the public buildings of said county.

An act authorizing the judge of the Spencer county court to appoint trustees for the town of Taylorsville when vacancies occur.

An act to repeal all laws restricting the sale of hides or pelts in Shelby county.

An act to change the time of holding the county and quarterly courts of Fulton county.

An act for the benefit of Robert A. Marical, of Josh Bell county.

An act to create and regulate the office of county treasurer of Floyd county.

An act for the benefit of the surveyor of Harlan county.

An act to allow the county court of Oldham county to issue bonds for turnpike purposes.

An act to amend an act, entitled "An act for the benefit of the county of Fleming," approved February 17, 1871.

An act to amend an act, entitled "An act to designate the holidays to be observed in the acceptance and payment of bills of exchange, &c.," approved February 7, 1868.

An act to exempt from taxation the property belonging to the Logan Female College.

An act for the benefit of A. W. Nickell, sheriff of Johnson county, and his sureties, for the year 1867.

An act to appropriate money.

With amendments to the last three named bills.

And that they had passed bills of the following titles, viz:

1. An act to prevent the destruction of birds in Jefferson county.

2. An act to amend chapter 97 of the Revised Statutes.

3. An act for the benefit of Thomas Mehan.

4. An act to amend chapter 30 of Revised Statutes, title "Descent and Distribution."

5. An act to amend an act, entitled "An act to incorporate the High Grove and Sayer's Depot Turnpike Road Company."

6. An act to require the clerk of the Harrison circuit court to index and cross-index certain judgment and order-books in his office.

7. An act limiting the right of attachment in certain cases.

8. An act authorizing the Harrison county court to appropriate money to aid in building a bridge across main Licking at Claysville, and to levy a tax therefor.

9. An act further to define the duties of clerks of circuit, chancery, and county courts of this Commonwealth.

10. An act for the benefit of J. C. Calhoun, sheriff of McCracken county.

11. An act to amend the charter of the town of Carrollton, in Carroll county.

12. An act for the benefit of James Hord, late sheriff of Clay county, and his securities.

13. An act to authorize and empower certain persons to close the Harrodsburg and Madison State Road, in Henry county.

Which were read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That they be referred—the 1st to the Committee on Agriculture and Manufactures; the 2d, 4th, 7th, and 9th to the Committee on Revised Statutes; the 3d, 6th, 10th, and 12th to the Committee on Ways and Means; the 5th and 11th to the Committee on Corporate Institutions; and the 8th and 13th to the Committee on Internal Improvement.

The House then took up the amendment proposed by the Senate to a bill, which originated in the House of Representatives, entitled

An act to appropriate money.

Said amendment was concurred in.

Mr. Chrisman, from the Committee on Claims, who were directed to prepare and bring in the same, reported

A bill for the benefit of Pope & Camp, of Louisville.

Which was read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

Said bill being engrossed, was read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the sheriff of Jefferson county is hereby authorized and directed to pay Messrs. Pope & Camp, of the city of Louisville, the sum of five hundred dollars ($500), for legal services rendered in the case of the Commonwealth vs. McAlister's estate, to be paid out of the money recovered, and to be collected by said sheriff in said case.

§ 2. This act to be in force and effect from its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon, in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Bunch),	H. G. Duerson,	J. J. McAfee,
George W. Anderson,	John Duvall,	William J. McElroy,
Ervin Anderson,	M. W. Ferguson,	George R. McKee,
W. F. Barret,	James P. Ford,	Thomas H. Moss,
Alpheus W. Bascom,	W. W. Frazer,	Edward Myall,
Robert C. Beauchamp,	John N. Furber,	Joshua B. Parks,
D. M. Bowen,	Robert T. Glass,	E. A. Pearson,
Orlando C. Bowles,	Clinton Griffith,	Douglass L. Price,
Samuel W. Brents,	D. Hambleton,	G. W. Quick,
E. Burr,	Ashton P. Harcourt,	William S. Richart,
William B Caldwell,	Ben. Hardin,	George W. Riddle,
Landon Carter,	J. B. Hays,	Robert Simmons,
J. S. Chrisman,	T. H. Hays,	Henry H. Skiles,
Thomas T. Cogar,	James R. Hindman,	R. K. Smith,
I. B. Combs,	Elijah Hogan,	R. M. Spalding,
R. L. Cooper,	William Irwin, sr.,	George W. Terrell,
Asbury Dawson,	George M. Jessee,	P. M. Thurmond,
J. C. DeMoss,	Alfred M. Jones,	W. J. Webb,
George R. Diamond,	John W. Kendall,	A. D. Weller,
N. C. Dille,	Francis M. Lowe,	John F. Wight—62.
D. E. Downing,	G. W. Little,	

In the negative—none.

Resolved, That the title of said bill be as aforesaid.

Bills were reported by the several committees, who were directed to prepare and bring in the same, of the following titles, viz:

By Mr. Duvall, from the Committee on County Courts—

A bill to authorize the county judge of Mason county to vote certain stock in the Maysville and Lexington Railroad, Northern Division, at the next annual election for directors.

By Mr. Barret, from the Committee on the Judiciary—

A bill to amend the charter of the city of Louisville.

By Mr. Harcourt, from the Committee on Railroads—

A bill to amend an act, entitled "An act to incorporate the Louisville and Chattanooga Grand Trunk Railroad."

By Mr. Cooper, from the Committee on Religion—

A bill to restrict the granting of license to sell spirituous, vinous, or malt liquors, and the sale thereof, in the town of Leitchfield, or within one mile of the court-house therein.

By Mr. Glass, from the Committee on Revised Statutes.

A bill to repeal the act creating Urania school district, in Barren county.

Which were read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

On motion, leave of absence, indefinitely, was granted Mr. Combs after to-day.

Leave was given to bring in the following bills, viz:

On motion of Mr. G. W. Anderson—

1. A bill for the protection of bootblacks of Louisville and Jefferson county.

On motion of Mr. Parks—

2. A bill for the benefit of the druggists residing in the Western district of the city of Louisville.

Ordered, That the Committee on Immigration and Labor prepare and bring in the 1st, and the Committee on Corporate Institutions the 2d.

Mr. Glass, from the Committee on Revised Statutes, who were directed to prepare and bring in the same, reported

A bill to prevent divorced parties from marrying within a specified time.

Which was read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Mr. Pope moved an amendment thereto.

On motion of Mr. Cogar, said bill and amendment were laid on the table.

Bills from the Senate were reported, without amendment, by the committees to whom they had been referred, of the following titles, viz:

By Mr. Parks, from the Committee on Internal Improvement—

An act to amend an act, entitled "An act to authorize the Louisville chancery court, and the Jefferson circuit and county courts, to increase the compensation of the surveyor of Jefferson county in certain cases.

By Mr. Weller, from the Committee on Internal Improvement—

An act to incorporate the Grayson Station and Grayson Springs Turnpike Road Company, in Grayson county.

By Mr. Pope, from the Committee on the Judiciary—

An act to further increase the resources of the sinking fund of the city of Louisville.

Ordered, That said bills be read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Harcourt, from the Committee on Railroads, to whom was referred a bill from the Senate, entitled

An act to amend chapter 1576, approved February 24, 1869, entitled "An act to incorporate the Cumberland and Ohio Railroad Company,"

Reported the same without amendment.

Ordered, That said bill be recommitted to the Committee on Railroads.

A message was received from the Senate, announcing that they had adopted joint resolutions, entitled

Resolutions of thanks to the Democracy of New Hampshire for the victory won in their recent State election, and congratulating the country in consideration thereof.

The rule being suspended, said resolutions were taken up and twice read as follows, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That the hearty thanks of the Democratic party throughout the Union are due to the gallant Democracy of New Hampshire, for the heroic battle fought and glorious victory won in their recent State elections. That we hail it, not only as an emphatic veto upon the foul usurpations and corrupt and subversive policy of the dominant party now administering the Federal Government, but as an earnest of the signal triumph that awaits truth over error in the approaching Presidential election; and we congratulate ourselves and the entire country at the renewed evidence thus given that the people are capable of self-government, and are ready and willing to desert and

denounce the standard of a mercenary military despotism, and rally around and maintain intact their rightful and inestimable heritage of constitutional liberty.

Resolved, That the Secretary of State transmit a copy of these resolutions to the Governor elect of the State of New Hampshire.

The question was then taken on concurring in the adoption of said resolutions, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Little and Webb, were as follows, viz:

Those who voted in the affirmative, were—

William Adair,	N. C. Dille,	Edward Myall,
G. W. Anderson,	D. E. Downing,	Joshua B. Parks,
Ervin Anderson,	John Duvall,	Alfred T. Pope,
Wm. F. Barret,	M. W. Ferguson,	W. V. Prather,
Alpheus W. Bascom,	W. W. Frazer,	Douglass L. Price,
Rob't C. Beauchamp,	John N. Furber,	G. W. Quick,
D. M. Bowen,	Robert T. Glass,	Wm. S. Richart,
Orlando C. Bowles,	Clinton Griffith,	George W. Riddle,
Samuel W. Brents,	D. Hambleton,	Robert Simmons,
E. Burr,	Elijah Hogan,	R. K. Smith,
Wm. B. Caldwell,	William Irwin, sr.,	R. M. Spalding,
Landon Carter,	Alfred M. Jones,	Geo. W. Terrell,
J. S. Chrisman,	Francis M. Lowe,	P. M. Thurmond,
I. B. Combs,	James B. McCreary,	John F. Wight,
R. L. Cooper,	Wm. J. McElroy,	L. Wilson,
F. R. Davis,	George R. McKee,	John Wolf—50.
Asbury Dawson,	Thomas H. Moss,	

Those who voted in the negative, were—

G. W. Little, W. J. Webb—2.

And so said resolutions were concurred in.

The House then took up for further consideration a bill, entitled

A bill to repeal an act, entitled "An act granting premiums on the scalps of wolves, wild cats, and red foxes in this State," approved March 21, 1870; and an act, entitled "An act granting premiums on red and grey foxes, wolves and wild cats' scalps in this State," approved February 17, 1866.

The amendment moved by Mr. McKee was then adopted.

Mr. Diamond then moved an amendment, which was adopted.

Ordered, That said bill, as amended, be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Price, from the Committee on Charitable Institutions, to whom was recommitted a bill, entitled

A bill to appropriate money and provide for the erection of an additional building at the Eastern Lunatic Asylum,

Reported the same without amendment.

Mr. Cooper moved the following amendment, viz:

§ —. That there shall be levied an additional tax of one cent upon each one hundred dollars' worth of property subject to taxation, to be levied and collected as other taxes are now levied and collected, and which shall be applied to the payment of the appropriation hereby made, and other appropriations to charitable institutions made at the present session.

The question was then taken on the adoption of the amendment proposed by Mr. Cooper, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Bascom and Cooper, were as follows, viz:

Those who voted in the affirmative, were—

Wm. F. Barret,	W. W. Frazer,	Douglass L. Price,
Orlando C. Bowles,	John N. Furber,	George W. Riddle,
E. Burr,	J. B. Hays,	Robert Simmons,
Thomas T. Cogar,	George R. McKee,	A. D. Weller,
R. L. Cooper,	Thomas H. Moss,	John Wolf—16.
James P. Ford,		

Those who voted in the negative, were—

Mr. SPEAKER (Bunch),	N. C. Dille,	James B. McCreary,
William Adair,	D. E. Downing,	Wm. J. McElroy,
George W. Anderson,	H. G. Duerson,	Edward Myall,
Alpheus W. Bascom,	John Duvall,	Joshua B. Parks,
Rob't C. Beauchamp,	M. W. Ferguson,	E. A. Pearson,
D. M. Bowen,	D. Hambleton,	Alfred T. Pope,
Samuel W. Brents,	Thomas H. Hays,	G. W. Quick,
William B. Caldwell,	J. R. Hindman,	William S. Richart,
J. S. Chrisman,	Elijah Hogan,	R. M. Spalding,
I. B. Combs,	William Irwin, sr.,	George W. Terrell,
F. R. Davis,	Francis M. Lowe,	W. J. Webb,
Asbury Dawson,	G. W. Little,	John F. Wight—37.
George R. Diamond,		

And so said amendment was rejected.

Ordered, That said bill be engrossed and read a third time.

Said bill being engrossed, was read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the managers and superintendent of the Eastern Lunatic Asylum be, and they are hereby, authorized and directed to erect an additional building on the grounds of the Asylum, which shall be suitable for and used by the superintendent of said Asylum as a resi-

dence. The said building shall be finished in a plain and substantial manner, without ornament, but with conveniences of a good and durable character.

§ 2. After the building provided for in the first section of this act shall have been finished and occupied by the superintendent of said Asylum, the board of managers and superintendent of said Asylum shall alter and fit up the apartments vacated for the reception of patients that may be consigned to said Asylum by law, so far as the same can be properly done.

§ 3. That there be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $10,000 to pay for the erection of the building and making the alterations authorized by this act; and the managers and superintendent are expressly directed not to exceed said appropriation in the complete finishing of the work authorized by this act to be done.

§ 4. That the amount so appropriated shall be paid to the treasurer of said Asylum, as the same shall be needed to pay for work and material on said building, upon orders for that purpose signed by the chairman of the board of managers and filed in the Auditor's office. The sums so received by the treasurer shall be paid out for work and material, upon the orders of the chairman of the managers and superintendent, or the one or the other of them, as the board of managers shall direct; and said Treasurer shall keep an account of such receipts and payments, supported by vouchers, which shall be quarterly examined, corrected, and certified by the managers, and filed and audited in the Auditor's office, in the same manner as the other accounts of the Treasurer.

§ 5. This act shall take effect and be in force from and after its passage.

The question being taken on the passage of said bill, it was decided in the affirmative.

The yeas and nays being required thereon, in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Bunch),	D. E. Downing,	George R. McKee,
William Adair,	H. G. Duerson,	Thomas H. Moss,
George W. Anderson,	John Duvall,	Edward Myall,
Wm. F. Barret,	M. W. Ferguson,	Joshua B. Parks,
Alpheus W. Bascom,	James P. Ford,	E. A. Pearson,
R. C. Beauchamp,	W. W. Frazer,	Alfred T. Pope,
D. M. Bowen,	John N. Furber,	Douglass L. Price,
Orlando C. Bowles,	Clinton Griffith,	G. W. Quick,
Samuel W. Brents,	D. Hambleton,	Wm. S. Richart,
E. Burr,	J. B. Hays,	George W. Riddle,
William B. Caldwell,	T. H. Hays,	Robert Simmons,
J. S. Chrisman,	Jas. R. Hindman,	R. M. Spalding,
Thomas T. Cogar,	Elijah Hogan,	George W. Terrell,
I. B. Combs,	John W. Kendall,	W. J. Webb,
R. L. Cooper,	Francis M. Lowe,	A. D. Weller,

F. R. Davis, G. W. Little, John F. Wight,
Geo. R. Diamond, William J. McElroy, John Wolf—52.
N. C. Dille,

Those who voted in the negative, were—

Asbury Dawson, William Irwin, sr., James B. McCreary—3.

Resolved, That the title of said bill be as aforesaid.

On motion, leave of absence, indefinitely, was granted to Mr. Morris.

Mr. Bowles, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the Senate, of the following titles, viz:

An act for the benefit of Clay county;

An act concerning the poor-house farm in Clark county;

An act authorizing the county courts of Estill and Lee to permit persons to erect gates across the public road leading from Irvine to Beattyville;

An act to empower the county court of Lawrence county to levy an additional tax in said county, and for other purposes;

An act for the benefit of the clerk of the Breathitt county court;

An act to require the clerk of the Green county court to index and cross-index certain deed books in Green county;

An act for the benefit of R. B. McCall, administrator of J. W. Riley, deceased;

An act to incorporate the Frankfort, Paris, and Big Sandy Railroad Company;

An act to repeal an act, entitled "An act to define the line between the counties of Lewis and Carter," approved March 9, 1868;

An act to authorize the late judge of the Kenton county court to enter and sign certain judgments, orders, and returns, and to legalize the same;

An act to amend section 3, article 3, chapter 17, of Revised Statutes;

An act to amend an act, entitled "An act for the benefit of the county court of Union county," approved February, 1871;

An act to authorize and empower the Bedford Division, Sons of Temperance, to sell and convey its real estate;

An act to exclude Crab Orchard Springs from the limits of Crab Orchard;

An act for the benefit of A. C. Cox, late sheriff of Green county;

An act for the benefit of Logan county;

An act to further protect the owners of stock living along the line of railways;

And also enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to incorporate the Widows' and Orphans' Cemetery Company of Crab Orchard;

An act to amend the charter of Bowling Green;

An act to amend and reduce into one the several acts relating to the charter and amendments thereto of the town of Mt. Sterling;

An act to incorporate the town of Spottsville, in Henderson county;

An act to amend and reduce into one the several acts in reference to the town of Eminence;

An act to amend and reduce into one all the acts concerning the town of Edmonton;

An act to incorporate the town of Knowlesburg, in Morgan county;

An act to incorporate the town of Calvert City, in Marshall county;

An act to incorporate the town of Flat Rock, in Bourbon county;

An act to incorporate the Methodist Episcopal Church, South, Widows' and Orphans' Home;

An act to incorporate the town of Frenchburg, in Menifee county;

An act to incorporate Odd Fellows' Hall Company in the town of Nicholasville;

An act for the benefit of W. J. Lile;

An act to incorporate the Bank of Maysville;

An act to incorporate the town of Mt. Olivet, Robertson county;

An act to incorporate the town of Martinsburg, in the county of Elliott;

An act for the benefit of M. M. Teager, of Fleming county;

An act for the benefit of Hawkins McKee, jailer of Whitley county;

And had found the same truly enrolled.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Bowles inform the Senate thereof.

The House again resumed the consideration of a bill, entitled

A bill to amend chapter 83, Revised Statutes, title "Revenue and Taxation."

Mr. Lowe moved an amendment to said bill, which was rejected.

Mr. Bascom moved to recommit the bill and amendment to the same committee, with instructions to report a substitute for same, increasing the rate of taxation.

And the question being taken on the motion of Mr. Bascom, it was decided in the negative.

Mr. Wight moved an amendment, which was rejected.

Mr. Hindman moved an amendment (substitute for 5th section, as amended), which was adopted.

Mr. Wight moved another amendment, which was rejected.

Mr. Bascom then moved to lay said bill and amendments on the table.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Bascom and E. Anderson, were as follows, viz:

Those who voted in the affirmative, were—

Ervin Anderson,	J. B. Hays,	G. W. Quick,
Alpheus W. Bascom,	G. W. Little,	William S. Richart,
Asbury Dawson,	J. J. McAfee,	George W. Terrell,
John N. Furber,	James B. McCreary,	P. M. Thurmond,
Clinton Griffith,	Thomas H. Moss,	John F. Wight,
D. Hambleton,	E. A. Pearson,	L. Wilson—18.

Those who voted in the negative, were—

William Adair,	F. R. Davis,	Alfred M. Jones,
Geo. W. Anderson,	J. C. DeMoss,	William J. McElroy,
Wm. F. Barret,	George R. Diamond,	George R. McKee,
Robt. C. Beauchamp,	N. C. Dille,	Edward Myall,
D. M. Bowen,	D. E. Downing,	Joshua B. Parks,
Orlando C. Bowles,	John Duvall,	Alfred T. Pope,
Samuel W. Brents,	M. W. Ferguson,	George W. Riddle,
E. Burr,	W. W. Frazer,	Henry H. Skiles,
William B. Caldwell,	Robert T. Glass,	R. K. Smith,
Landon Carter,	Ashton P. Harcourt,	Richard M. Spalding,
J. S. Chrisman,	Ben. Hardin,	W. J. Webb,
Thomas T. Cogar,	Thomas H. Hays,	A. D. Weller,
I. B. Combs,	James R. Hindman,	John Wolf—41.
R. L. Cooper,	Elijah Hogan,	

Mr. Dawson moved amendments, which were rejected.

Mr. Hindman moved an amendment, which was adopted.

Amendments were moved by Messrs. Chrisman, Dawson, and Caldwell, which were adopted.

Mr. Thurmond then moved a substitute for the 12th section of the bill, as amended.

Pending the consideration of same, the House adjourned.

SATURDAY, MARCH 18, 1871.

Leave of absence, indefinitely, was granted Messrs. Wight and T. H. Hays.

A message was received from the Senate, asking to withdraw from the House the announcement of their disagreement to a bill, which originated in the House of Representatives, entitled

An act to prevent the sale of spirituous liquors in the town of Middleburg, in Casey county.

Which was granted.

A message was received from the Governor by Mr. Samuels, Assistant Secretary of State, announcing that he had approved and signed enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act for the benefit of Hawkins McKee, jailer of Whitley county.

An act to incorporate the Odd Fellows' Hall Company in the town of Nicholasville.

An act for the benefit of W. J. Lisle.

An act for the benefit of M. M. Teager, of Fleming county.

Mr. Glass, from the Committee on Revised Statutes, to whom was recommitted a bill, entitled

A bill to re-enact an act, entitled "An act to amend article 3, chapter 86, Revised Statutes," approved February 17, 1866,

Reported the same without amendment.

Ordered, That said bill be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Glass, from the Committee on Revised Statutes, who were directed to prepare and bring in the same, reported bills of the following titles, viz:

A bill for the benefit of the estate of Young E. Hurt, late sheriff of Adair county.

A bill for the benefit of Moore Pickle, colored.

A bill to authorize the county court of Scott county to borrow money to build a jail.

Which were read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Glass, from the Committee on Revised Statutes, who were directed to prepare and bring in the same, reported

A bill to amend an act in relation to peddlers, approved March 4, 1856, and amended March 18, 1870.

Which was read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Mr. Price moved the following substitute, by way of amendment, to said bill, viz:

Strike out all after the enacting clause and insert: That all laws requiring persons selling by sample to pay a tax for the same be, and they are hereby, repealed.

The original bill reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the act, entitled "An act to amend the several acts in relation to peddlers," approved March 4, 1856, and amended March 18, 1870, be, and is hereby, so amended, that said act shall not apply to the agents of those merchants residing and doing business within the State of Kentucky, who pay an annual tax to the Treasury of the State on their stock of merchandise.

§ 2. This act shall take effect from and after its passage.

Mr. Bowles then moved to lay said bill and proposed amendment on the table.

And the question being taken on said motion, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Hardin and Bowles, were as follows, viz:

Those who voted in the affirmative, were—

Silas Adams,	D. E. Downing,	Ashton P. Harcourt,
Ervin Anderson,	John Duvall,	J. B. Hays,

Alpheus W. Bascom,	M. W. Ferguson,	Thomas H. Moss,
Orlando C. Bowles,	W. W. Frazer,	John Wolf—14.
George R. Diamond,	John N. Furber,	

Those who voted in the negative, were—

Mr. SPEAKER (Bunch),	H. G. Duerson,	E. A. Pearson,
Wm. Adair,	James P. Ford,	Alfred T. Pope,
George W. Anderson,	R. T. Glass,	W. V. Prather,
Wm. F. Barret,	D. Hambleton,	Douglass L. Price,
R. C. Beauchamp,	Ben. Hardin,	G. W. Quick,
D. M. Bowen,	James R. Hindman,	William S. Richart,
Samuel W. Brents,	Elijah Hogan,	George W. Riddle,
E. Burr,	R. E. Humphrey,	Robert Simmons,
William B. Caldwell,	Wm. Irwin, sr.,	Henry H. Skiles,
Landon Carter,	Alfred M. Jones,	R. M. Spalding,
J. S. Chrisman,	John W. Kendall,	Geo. W. Terrell,
Thomas T. Cogar,	Francis M. Lowe,	P. M. Thurmond,
R. L. Cooper,	G. W. Little,	J. L. Waring,
F. R. Davis,	J. J. McAfee,	W. J. Webb,
Asbury Dawson,	George R. McKee,	A. D. Weller,
J. C. DeMoss,	Edward Myall,	L. Wilson—50.
N. C. Dille,	Joshua B. Parks,	

Mr. Barret moved the following amendment to the amendment moved by Mr. Price.

Add thereto: *Provided*, This law shall not apply and be in force in the county of Jefferson.

The question being taken on the adoption of the amendment moved by Mr. Barret, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Wolf and Cooper, were as follows, viz:

Those who voted in the affirmative, were—

William F. Barret,	D. Hambleton,	George R. McKee,
D. M. Bowen,	J. B. Hays,	Thomas H. Moss,
Orlando C. Bowles,	Thomas H. Hays,	Joshua B. Parks,
Samuel W. Brents,	R. E. Humphrey,	E. A. Pearson,
William B. Caldwell,	Wm. Irwin, sr.,	Alfred T. Pope,
Landon Carter,	Alfred M. Jones,	W. V. Prather,
George R. Diamond,	Francis M. Lowe,	George W. Riddle,
M. W. Ferguson,	G. W. Little,	J. L. Waring—25.
Robert T. Glass,		

Those who voted in the negative, were—

William Adair,	D. E. Downing,	Douglass L. Price,
Ervin Anderson,	H. G. Duerson,	G. W. Quick,
Alpheus W. Bascom,	James P. Ford,	William S. Richart,
Robert C. Beauchamp,	W. W. Frazer,	Robert Simmons,
E. Burr,	John N. Furber,	Henry H. Skiles,
J. S. Chrisman,	Ashton P. Harcourt,	Richard M. Spalding,
Thomas T. Cogar,	Ben. Hardin,	George W. Terrell,

R. L. Cooper,	James R. Hindman,	P. M. Thurmond,
F. R. Davis,	Elijah Hogan,	W. J. Webb,
Asbury Dawson,	John W. Kendall,	A. D. Weller,
J. C. DeMoss,	Wm. J. McElroy,	L. Wilson,
N. C. Dille,	Edward Myall,	John Wolf—36.

The question was then taken on the adoption of the amendment (substitute) moved by Mr. Price, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Furber and Price, were as follows, viz:

Those who voted in the affirmative, were—

Ervin Anderson,	Ben. Hardin,	Wm. S. Richart,
Alpheus W. Bascom,	J. B. Hays,	Henry H. Skiles,
E. Burr,	Jas. R. Hindman,	Geo. W. Terrell,
J. S. Chrisman,	Elijah Hogan,	P. M. Thurmond,
Asbury Dawson,	George M. Jessee,	J. L. Waring,
N. C. Dille,	Francis M. Lowe,	W. J. Webb,
John Duvall,	G. W. Little,	A. D. Weller,
James P. Ford,	J. J. McAfee,	L. Wilson,
John N. Furber,	Thomas H. Moss,	John Wolf—29.
Ashton P. Harcourt,	Douglass L. Price,	

Those who voted in the negative, were—

Mr. SPEAKER (Bunch),	F. R. Davis,	Alfred M. Jones,
William Adair,	Geo. R. Diamond,	John W. Kendall,
G. W. Anderson,	D. E. Downing,	George R. McKee,
Wm. F. Barret,	H. G. Duerson,	Edward Myall,
Rob't C. Beauchamp,	M. W. Ferguson,	Joshua B. Parks,
D. M. Bowen,	W. W. Frazer,	E. A. Pearson,
Orlando C. Bowles,	Robert T. Glass,	Alfred T. Pope,
Samuel W. Brents,	Clinton Griffith,	G. W. Quick,
Wm. B. Caldwell,	D. Hambleton,	George W. Riddle,
Landon Carter,	T. H. Hays,	Robert Simmons,
Thomas T. Cogar,	R. E. Humphrey,	R. M. Spalding—35.
R. L. Cooper,	William Irwin, sr.,	

Ordered, That said bill be engrossed and read a third time.

On motion of Mr. McKee,

Ordered, That said bill have its third reading on Monday, the 20th inst., at 9½ o'clock, A. M.

A message was received from the Governor by Mr. Samuels, Assistant Secretary of State, which was taken up and read as follows, viz:

STATE OF KENTUCKY, EXECUTIVE DEPARTMENT,
FRANKFORT, March 18, 1871.

Gentlemen of the House of Representatives:

The bill which originated in your body, entitled "An act to incorporate the town of Martinsburg, in the county of Elliott," provides in its third section that the police judge of the town of Martinsburg,

in Elliott county, "shall have exclusive jurisdiction of all offenses—the punishment of which is fine and imprisonment—committed within the limits of said town, by the laws now in force, or which may hereafter be put in force, either by the laws of the State or by-laws of the town." The bill fails to secure the privilege of appeal to the accused in any case; nor does it provide in any state of case for a trial by jury. The bill virtually takes away from the circuit court, and all other courts of the county, every prosecution set on foot against persons within that corporation for alleged violations of the State laws, where the penalty is fine and imprisonment, and vests the same in the police judge elected by the voters of Martinsburg, and that, too, without regard to the amount of fine or measure of imprisonment. It seems to me this is putting at too great hazard the rights and liberty of the citizen, and is such great departure from the recognized protections of the Constitution and seventy-nine years' experience of the State, that it ought not become a law. I therefore feel constrained to withhold my approval of the bill.

Respectfully,

P. H. LESLIE.

Said bill reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That Harvey Davis, Meredith Osburn, D. L. Sparks, S. S. Adkins, and Isaac N. Cottle, are hereby constituted trustees of the town of Martinsburg, in the county of Elliott. Said town shall be bounded as follows, to-wit: Beginning on the east side of the open fork of Little Sandy, at the edge of the water when at an ordinary stage, at the mouth of a branch emptying into Sandy on the east side, just below J. K. Hunter's steam mill; thence down said stream, on the east side, north 56 deg. west 20 poles, north 83 deg. west 38 poles; thence crossing the creek, south 47½ deg. west 90 poles, to a branch; thence down said branch, south 13 deg. east 80 poles, to the south bank of the open fork of Little Sandy; thence down the same, with the meanders thereof, to the beginning, including all within said boundary. Said trustees shall continue in office until the first Monday in June, 1871, and until their successors are elected and qualified. On the first Saturday in May, 1871, and every two years thereafter, it shall be lawful for the qualified voters of said town to elect five trustees, who shall have resided within the corporate limits of said town sixty days next before said election, and possess and have all other qualifications of legal voters. Said trustees shall enter upon the duties of their office on the first Monday in June next succeeding their election, after having taken an oath to faithfully and impartially discharge the duties of their office.

§ 2. At the same time and place it shall be lawful for the qualified voters of said town to elect a police judge and town marshal, who shall have the same qualifications, take the same oath, and enter upon the discharge of their duties at the same time said trustees shall, and shall hold their office for the same time, and until their successors are elected and qualified. Said police judge shall have exclusive jurisdiction of all police regulations within the limits of

said town, including the granting of licenses to tavern-keepers, saloons, or coffee-houses, and shall receive the same fees as justices of the peace and county judges do for like services. The marshal shall have the same powers within the limits of said town that sheriffs and constables have within their counties, and receive the same fees for like services, and be under the same responsibilities in the discharge of their duties, and execute bond, with good security, before said police judge, to be approved and attested by him.

§ 3. That said police judge shall have exclusive jurisdiction of all offenses—the punishment of which is fine and imprisonment—committed within the limits of said town, by the laws now in force, or which may hereafter be put in force, either by the laws of the State or by-laws of the town. He shall also have concurrent jurisdiction with the county judge in criminal proceedings, and his court shall be a court of record.

§ 4. Said trustees are hereby authorized to make ordinances and by-laws for the better regulation of the morals of the town and improvement of the streets and alleys, and for the opening of streets and alleys, as to them may seem proper, not repugnant to any laws of the State. They shall appoint a treasurer of said town, who shall enter in bond, with good security, to be attested and approved by the police judge of said town, for the faithful performance of his duties; which bond may be put in suit as often as it may be violated; and whose duty it shall be to receive, keep, and preserve all funds that may belong to said corporation for the benefit of said town, and disburse the same upon the written order of said trustees. Said trustees shall keep a record of all their proceedings; they shall have power to levy a tax, not exceeding twenty cents on the one hundred dollars' worth of taxable property in said town, as shown by the assessor's books for the county, and fifty cents on each tithe in said town, which shall be appropriated in improving the streets and sidewalks. For any violation of the by-laws or ordinances of said town, or laws of the State, the police judge shall, upon his own view, or upon information of any person, given on oath, issue his warrant, in the name of the Commonwealth, for the use of the trustees, against the offenders, directed to the marshal of said town, commanding him to summon or arrest the defendant, and bring him before said judge, or some other person authorized by law, who shall try said cause as soon as practicable; and all fines and forfeitures shall be collected and paid over to the treasurer for the benefit of the town.

§ 5. This act shall take effect from and after its passage.

The question was then put, "Shall the bill pass, the objections of the Governor to the contrary notwithstanding?" and it was decided in the negative.

The yeas and nays being required thereon, in pursuance to a provision of the Constitution, were as follows, viz:

In the affirmative—none.

Those who voted in the negative, were—

Mr. SPEAKER (Bunch),	George R. Diamond,	George R. McKee,
William Adair,	D. E. Downing,	Thomas H. Moss,
Silas Adams,	H. G. Duerson,	Edward Myall,
George W. Anderson,	James P. Ford,	Joshua B. Parks,
W. F. Barret,	W. W. Frazer,	E. A. Pearson,
Alpheus W. Bascom,	John N. Furber,	Alfred T. Pope,
Robert C. Beauchamp,	Robert T. Glass,	Douglass L. Price,
D. M. Bowen,	Clinton Griffith,	G. W. Quick,
Orlando C. Bowles,	D. Hambleton,	William S. Richart,
Samuel W. Brents,	Ben. Hardin,	Robert Simmons,
E. Burr,	James R. Hindman,	Henry H. Skiles,
William B. Caldwell,	Elijah Hogan,	R. M. Spalding,
Landon Carter,	R. E. Humphrey,	P. M. Thurmond,
J. S. Chrisman,	William Irwin, sr.,	J. L. Waring,
Thomas T. Cogar,	Francis M. Lowe,	W. J. Webb,
R. L. Cooper,	G. W. Little,	A. D. Weller,
F. R. Davis,	J. J. McAfee,	L. Wilson,
Asbury Dawson,	William J. McElroy,	John Wolf—54.

And so said bill was rejected.

Mr. Harcourt moved the following resolution, viz:

Resolved, That when this House adjourns at 3 o'clock, P. M., it will be to meet again at 7½, P. M., and that House bill No. 1612, entitled "An act to suppress lawlessness," be made the special order for that hour.

The question was then taken on the adoption of said resolution, but no quorum voting thereon, said resolution was lost.

The yeas and nays being required thereon by Messrs. Glass and Harcourt, were as follows, viz:

Those who voted in the affirmative, were—

Wm. F. Barret,	Clinton Griffith,	G. W. Quick,
Orlando C. Bowles,	Ashton P. Harcourt,	Wm. S. Richart,
E. Burr,	Francis M. Lowe,	Robert Simmons,
Wm. B. Caldwell,	Geo. R. McKee,	Henry H. Skiles,
J. S. Chrisman,	Thomas H. Moss,	Richard M. Spalding,
Asbury Dawson,	Joshua B. Parks,	J. L. Waring,
W. W. Frazer,	Alfred T. Pope,	John Wolf—23.
Robert T. Glass,	Douglass L. Price,	

Those who voted in the negative, were—

Mr. SPEAKER (Bunch),	Thomas T. Cogar,	Ben. Hardin,
William Adair,	R. L. Cooper,	Wm. Irwin, sr.,
George W. Anderson,	F. R. Davis,	John W. Kendall,
Alpheus W. Bascom,	D. E. Downing,	William J. McElroy,
Robert C. Beauchamp,	John Duvall,	A. D. Weller,
D. M. Bowen,	John N. Furber,	L. Wilson—20.
Samuel W. Brents,	D. Hambleton,	

A message was received from the Senate, announcing that they had received official information that the Governor had approved and signed enrolled bills and a resolution, which originated in the Senate, of the following titles, viz:

An act to authorize the counties of Madison, Estill, Lee, Owsley, the city of Louisville, and any other cities, counties, or towns in this State, corporations or individuals, to subscribe for stock in a Branch of the Louisville and Nashville Railroad, from Richmond to Irvine and Scott's Landing, or Beattyville, in Kentucky.

An act providing for the payment of certain claims allowed by the Rockcastle circuit court.

An act transferring the property of, and debts owing to, the trustees of the Harrodsburg Academy, known also as the Mercer County Seminary, to the board of trustees of the town of Harrodsburg, for common school purposes, and authorizing said board to sue for the same.

An act to amend the 3d section, 2d article, 32d chapter, of the Revised Statutes.

An act for the benefit of Kentucky Farmers' Mutual Insurance Company.

An act for the benefit of the incorporated banks of Kentucky.

An act for the benefit of the Mercer county court.

Resolution in relation to Irish exiles.

That they had concurred in the amendments proposed by the House to bills, which originated in the Senate, of the following titles, viz:

An act to amend the charter of the town of Mayfield.

An act to establish a chancery court for the counties of Campbell, Kenton, Bracken, and Pendleton.

That they had disagreed to bills, which originated in the House of Representatives, of the following titles, viz:

An act defining what shall be a lawful fence in Gallatin county, and providing for the punishment of the owners of breachy or roguish cattle permitted to run on the commons therein.

An act prohibiting the Murphysville Turnpike Road Company from erecting or keeping a toll-gate within one mile of the town of Murphysville.

And that they had passed bills of the following titles, viz:

1. An act to charter the Boston and Fisherville Turnpike Road Company.

2. An act to incorporate the Ashbottom Turnpike Road Company.

3. An act for the benefit of Charles S. W. Dorsey, of the county of Jefferson.

Which were read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That they be referred—the 1st and 2d to the Committee on Internal Improvement, and the 3d to the Committee on the Judiciary.

A message was received from the Senate, announcing that they had passed bills, which originated in the House of Representatives, of the following titles, viz:

An act appropriating certain lands to the county of Pendleton.

An act to authorize John B. Goff to erect a boom across Big creek, in Martin county.

An act to amend the charter of the Pleasant Hill and Jessamine County Turnpike Road Company.

An act to incorporate the New Haven and Howardsville Turnpike Road Company.

An act to incorporate the Athens and Walnut Hill Turnpike Company.

An act to amend an act, entitled "An act to incorporate the Farmers' Turnpike Road Company," approved March 3, 1851.

An act to incorporate the Greenup and Boyd County Turnpike Road Company.

An act to amend an act, entitled "An act to incorporate the Spring Station Turnpike Road Company."

An act to incorporate the Sligo and Pendleton Station Turnpike Company.

An act to incorporate the Newcastle and Sulphur Turnpike Road Company.

An act for the benefit of the Paris and Winchester Turnpike Road Company.

An act for the benefit of toll-gate keeper in Josh Bell county.

An act for the benefit of the Kentucky River Turnpike Road Company.

An act to repeal section 6 of an act, entitled "An act to amend the charter of the Ashland and Catlettsburg Turnpike," approved February 3, 1871.

An act to incorporate the Little Benson and Lane's Mill Turnpike Road Company.

An act to incorporate the New Castle and Bethlehem Turnpike Road Company.

An act to declare John's creek, in Floyd, Johnson, and Pike counties, a navigable stream.

An act to charter the Springfield and Chaplain Turnpike Road Company.

An act to incorporate the Perryville and Old Mackville Turnpike Road Company, in Boyle and Mercer counties.

An act to charter the Middleburg, Knob Lick, and Trace Fork Turnpike Road Company.

An act to amend an act, entitled "An act to incorporate the Cynthiana and Millersburg Turnpike Road Company."

An act for the benefit of the Bridgeport and Farmdale Turnpike Road Company.

An act for the benefit of the Covington and DeCourcey Creek Turnpike Road Company.

An act for the benefit of Park's Ferry and Carlisle Turnpike Road Company.

An act to authorize the Anderson county court to levy a tax to build bridges, and for other purposes.

An act to charter the Lagrange and Brownsboro Turnpike Company.

An act to incorporate the Frenchburg and Owingsville Turnpike Road Company.

An act fixing the rate of freight and tolls on the North Middletown and Mt. Sterling Turnpike Road.

An act to amend an act, entitled "An act to create a special road law for the county of Pendleton."

An act to amend an act, entitled "An act to amend an act to authorize the Pendleton county court to raise money to build bridges, &c."

An act to amend the charter of the Richmond and Big Hill Turnpike Road Company.

An act authorizing the county court of Spencer county to levy a tax in aid of turnpikes.

An act to authorize the county court of Scott county to increase its subscriptions to turnpike roads.

An act authorizing the county court of Washington county to construct a bridge across the Little Beech in said county, and to provide for the payment of same.

An act to amend an act to incorporate the Lancaster, Fall Lick, and Mt. Vernon Turnpike Company.

Au act to incorporate the Falls City Tobacco Manufacturing Company.

An act to authorize the county judge of Mason county to vote certain stock in the Maysville and Lexington Railroad, Northern Division, at the next annual election for directors.

An act for the benefit of Pope & Camp, of Louisville.

An act for the benefit of the levy court of Henry county.

With an amendment to the last named bill.

Mr. Bowles, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the Senate, of the following titles, viz:

An act to amend the charter of the town of Mayfield;

An act to establish a chancery court for the counties of Campbell, Kenton, Bracken, and Pendleton;

And also enrolled bills and a resolution, which originated in the House of Representatives, of the following titles, viz:

An act concerning the First Presbyterian Church of Shelbyville, to legalize a division of the property of said church, and to incorporate the divided parties in said church;

An act to amend the charter of the Deposit Bank of Frankfort;

An act to amend an act, approved March 15, 1869, abolishing the Board of Internal Improvement;

An act for the benefit of N. B. Campbell, of Josh Bell county;

An act for the benefit of James Faircloth, of Mercer county;

An act to appropriate money.

An act to repeal all laws restricting the sale of hides or pelts in Shelby county.

An act for the benefit of Robert A. Marical, of Josh Bell county;

Resolution on the death of Hon. Daniel Breck;

And had found the same truly enrolled.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Bowles inform the Senate thereof.

The House resumed the consideration of an unfinished order of yesterday, viz:

A bill to amend chapter 83, Revised Statutes, title "Revenue and Taxation."

Mr. Price moved to lay said bill and amendments on the table.

And the question being taken on said motion, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Price and Adams, were as follows, viz:

Those who voted in the affirmative, were—

Silas Adams,	D. Hambleton,	G. W. Quick,
Ervin Anderson,	J. B. Hays,	Wm. S. Richart,
Alpheus W. Bascom,	William Irwin, sr.,	Geo. W. Terrell,
Rob't C. Beauchamp,	G. W. Little,	P. M. Thurmond,
W. W. Frazer,	J. J. McAfee,	L. Wilson,
John N. Furber,	Thomas H. Moss,	John Wolf—20.
Clinton Griffith,	Douglass L. Price,	

Those who voted in the negative, were—

Mr. SPEAKER (Bunch),	George R. Diamond,	Francis M. Lowe,
William Adair,	N. C. Dille,	William J. McElroy,
George W. Anderson,	D. E. Downing,	George R. McKee,
Wm. F. Barret,	H. G. Duerson,	Edward Myall,
D. M. Bowen,	John Duvall,	Joshua B. Parks,
Orlando C. Bowles,	M. W. Ferguson,	E. A. Pearson,
Samuel W. Brents,	Robert T. Glass,	Alfred T. Pope,
E. Burr,	A. P. Harcourt,	George W. Riddle,
William B. Caldwell,	Ben. Hardin,	Robert Simmons,
Landon Carter,	James R. Hindman,	Henry H. Skiles,
J. S. Chrisman,	Elijah Hogan,	R. M. Spalding,
Thomas T. Cogar,	R. E. Humphrey,	J. L. Waring,
R. L. Cooper,	George M. Jessee,	W. J. Webb,
F. R. Davis,	Alfred M. Jones,	A. D. Weller—44.
Asbury Dawson,	John W. Kendall,	

The substitute moved by Mr. Thurmond for the 12th section of the bill reads as follows, viz:

That the sheriff or collector of public revenue shall, on the first day of October in each year, make a report to the Auditor, under oath, of the amount of taxes then collected by him, and immediately pay the same over to the Auditor, and make a similar report every 60 days thereafter, and shall account for and pay all taxes for which he is bound, into the State Treasury, by the first day of April, 1872, and by the first day of April in each year thereafter; and upon his failure to do so, he and his sureties shall be liable therefor, and shall be proceeded against in the same manner as now prescribed by law.

The question being taken on the adoption of said amendment, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Wilson and Thurmond, were as follows, viz:

Those who voted in the affirmative, were—

Silas Adams,	James P. Ford,	Thomas H. Moss,
Ervin Anderson,	W. W. Frazer,	Edward Myall,
Alpheus W. Bascom,	John N. Furber,	Joshua B. Parks,
Rob't C. Beauchamp,	Clinton Griffith,	Douglass L. Price,
E. Burr,	D. Hambleton,	G. W. Quick,
Landon Carter,	J. B. Hays,	Wm. S. Richart,
Asbury Dawson,	R. E. Humphrey,	Geo. W. Terrell,
Geo. R. Diamond,	George M. Jessee,	P. M. Thurmond,
N. C. Dille,	John W. Kendall,	L. Wilson,
M. W. Ferguson,	G. W. Little,	John Wolf—30.

Those who voted in the negative, were—

Mr. SPEAKER (Bunch),	D. E. Downing,	J. J. McAfee,
William Adair,	H. G. Duerson,	William J. McElroy,
G. W. Anderson,	John Duvall,	George R. McKee,
Wm. F. Barret,	Robert T. Glass,	E. A. Pearson,
D. M. Bowen,	Ashton P. Harcourt,	Alfred T. Pope,
Samuel W. Brents,	Ben. Hardin,	George W. Riddle,
Wm. B. Caldwell,	Jas. R. Hindman,	Robert Simmons,
J. S. Chrisman,	Elijah Hogan,	R. M. Spalding,
Thomas T. Cogar,	William Irwin, sr.,	J. L. Waring,
R. L. Cooper,	Alfred M. Jones,	W. J. Webb—31.
F. R. Davis,		

Ordered, That said bill, as amended, be engrossed and read a third time.

Said bill, as amended, being engrossed, was then read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That section two of article six, chapter eighty-three, of the Revised Statutes, be so amended as to read as follows, to-wit: The assessor and his assistants, before they enter upon the duties of their office, in addition to the oath prescribed in the Constitution, shall also swear that they will diligently search and inquire, so that no person is passed over, or shall fail to have an opportunity to give in a list of his taxable property; and that they will truly report all persons who shall fail and refuse to give in a list of their taxable estate, after being duly called on for that purpose, or who have given in a false or fraudulent list, or refused to give in the amount of their residuary estate as required by law.

'§ 2. That section four of said article and chapter be so amended as to read: He may commence the duties of his office on the tenth day of January in each year, and shall complete his list and return his book to the clerk of the county court by the first day of June thereafter; and any assessor failing to return his tax-book to the clerk by that day shall forfeit and pay to the State five dollars for each day he

so fails; the same to be deducted and retained by the Auditor from the amount due him for his services.

§ 3. That section seven of said article and chapter be so amended as to read: The county court shall order the clerk thereof to certify to the Auditor the amount due the assessor for his services under this article after he shall have completed and returned his tax-book, and the day of the month on which said tax-book was returned to the clerk; and further, that the assessor and his assistants had, before the judge of the county court, taken an oath that they had administered to every person whose list they had returned the oath prescribed in section five of this act, except when impracticable, and that with all such lists he has returned a note giving the reason why; and the Auditor shall not be authorized to draw his warrant on the Treasury for part of the amount due the assessor until said certificate shall have been received by him. The amount allowed the asssessor shall not exceed fifteen cents for each list of taxable estate, and the same shall be paid by the Treasurer of the State upon the warrant of the Auditor.

§ 4. That section twelve of said article and chapter be so amended as to read: Persons listing their estate with the assessor shall state separately the tracts of land and number of acres in each tract, the value of each, and where situated, giving the water courses and description of title as well as they know; the number of town lots, in what town or city situated, and the value of each; the number of horses, mares, mules, and jennies, and their value; the number of cattle, and their value over fifty dollars; and also all other estate owned by them, or held by them for the use of others, subject to taxation, with the value thereof, on the tenth of January preceding.

§ 5. That section thirteen of said article and chapter be so amended as to read: The assessor, or his assistant, shall administer to every person listing property the following oath before proceeding to list his or her property: "You do swear that the list of taxable estate about to be given in by you will contain a full and complete list, and the best description of the same you can give, of all and every species of property belonging to you, or in your possession, subject to taxation on the tenth of January last; that you will fix thereon a full, fair, and just valuation on that day, and that no removal of property or omission has been made, or any method or device adopted or practiced whereby to evade the payment of taxes by you; and that you will true and perfect answers make to such questions as may be asked you concerning your taxable estate, or that of others in your possession, or the value thereof."

§ 6. That section sixteen of said article and chapter be so amended as to read: The assessor shall enter the property listed with him, and the value thereof, as given by the persons listing the same, in his tax-book, in the order and manner prescribed; and such shall be the valuation unless changed by the board of supervisors in the manner hereinafter prescribed. If, in the opinion of the assessor, there is an error in the list or valuation of any person's estate listed with him, it shall be his duty to note the same on the tax-book, so as to call the attention of the board of supervisors thereto.

§ 7. That section one of article seven of said chapter be so amended as to read: One discreet citizen of the county, to be selected by the Auditor of the State, and two by the county judge, shall constitute a board of supervisors of tax for each county; which board shall be appointed by the first of May next; and they shall continue in office one year, and until their successors are appointed and qualified. In case any of said supervisors shall fail to act, the county judge shall, by order of court, appoint some other suitable person or persons to fill the vacancy. The members of the board, before entering on their duties, shall take an oath faithfully, impartially, and to the best of their ability, to discharge the duties of their office. They shall convene at the county court clerk's office on the first day of June (unless that be Sunday, and then on the following day), and may continue in session six days, if necessary, and shall receive for compensation three dollars per day, to be paid out of the Treasury upon the warrant of the Auditor, to be drawn upon the receipt, by him, of the certificate of their service by the clerk of the county court.

§ 8. That section two of said article and chapter be so amended as to read: It shall be the duty of said board to examine with care the tax-book of each year; to correct any errors, whether of fact or in relation to the valuation of the estate listed; and, in cases where they shall be of opinion that the estate has been incorrectly listed or valued, to correct the list or valuation. But before increasing the valuation of any estate, they shall give to the person listing the same at least one day's notice in writing thereof.

§ 9. That section seven of said article and chapter be so amended as to read: If the assessor shall not return his tax-book by the first day of June, the clerk may receive it from him when returned, and proceed to perform the duties required of him in relation thereto, as though returned in time, and shall notify the members of the board of supervisors, who shall forthwith proceed to perform the duties required of them in relation to said tax-book. The assessor shall, for such failure, be amerced one hundred dollars in addition to the penalty denounced against him in this act; the same to be enforced by indictment by the grand jury and proceedings in the circuit court, as in case of misdemeanors.

§ 10. That section one of article eight of said chapter be so amended as to read: The clerk of the county court, after the examination and approval of the tax-book, shall make two copies thereof—one for the sheriff and the other for the Auditor of the State. He shall test the accuracy of the extensions and additions of said book, make additions of each column and the aggregate amount, and copy on each page the same amount of matter that is on the original book, and no more. He shall deliver the copy to the sheriff on or before the first day of July, and take his receipt therefor; the other copy he shall transmit by mail or otherwise to the Auditor of the State by the first day of July in each year. And any clerk failing to return the tax-book to the Auditor against the first day of July, when the same shall have been returned to him by the assessor in the time prescribed by law, as required by this section, shall, in addition to the penalties now prescribed by law, forfeit and pay to the State

five dollars for every day he shall so fail, which shall be deducted and retained by the Auditor from the amount allowed him by law for copying said book. And the said clerk shall transmit to the Auditor the aforesaid receipt of the sheriff for the tax-book against the fifteenth of July, under the same penalties for failure as he is liable for in case of failing to return the tax-book.

§ 11. That section five of article nine of said chapter be so amended as to read: The sheriff, from and after the fifteenth day of July, in each year, shall collect the taxes due in his county; and upon failure by the persons bound therefor to pay the same, may distrain the goods and chattels owned by, or in the rightful possession of, the person from whom the tax is due, notwithstanding the existence of any lien upon the same, and may proceed to sell the title of such person in so much thereof as will pay the tax and all costs and damages that may have accrued, in the mode prescribed by law. He may retain the amount of tax, county levies, and other public dues against individuals, out of any claims allowed them by the Commonwealth or county, notwithstanding any assignment of the same. Any person owing taxes to the State, who shall fail to pay the same to the sheriff by the first day of April, in each year, shall be required to pay to the sheriff five per cent. damages on the amount of such taxes.

§ 12. That section six of said article and chapter be so amended as to read: The sheriff shall account for and pay into the Treasury one third of all taxes and other public moneys for which he is bound by the first day of December; one third by the first day of February; and the remainder by the first day of April in each year. Upon failure to pay over any of said installments, or any part thereof, the sheriff and his sureties shall be liable therefor, and compelled to pay the amount in arrear, and ten per cent. interest on the same, from the first day of July preceding until paid, and the costs of the suit, besides the twenty per cent. damages imposed in the third section of the twelfth article of said chapter.

§ 13. That section twelve of article nine of said chapter be so amended as to read: If there be no personal estate which the sheriff can distrain for tax due, and the person owning the same shall fail to pay said tax, the sheriff may levy on any real estate belonging to such delinquent tax-payer, and sell a sufficiency thereof, in the same manner that lands are sold under execution, for the payment of such taxes. The owner of such real estate, his representatives, heirs, or assigns, shall have the right to redeem the same from the purchaser thereof, by paying the purchase money with six per cent. (per annum) interest, and twenty per cent. damages thereon, at any time within twelve months from the day of sale; and any minor, married woman, or other person laboring under disability, shall have two years after the removal of the disability in which to make such redemption: *Provided, however*, That the committee or next friend of a person who is *non compos mentis*, shall be allowed only five years from the day of sale, or two years after notice in writing by the purchaser, to redeem the same, though such disability shall continue longer. The notice aforesaid shall be returned by the officer executing it to the clerk of the county court, who shall record the same with the return thereon

in a record book to be provided and kept by him, and paid for out of the State Treasury. The clerk shall be allowed a fee of twenty-five cents for recording the said notice and return. Office copies of said record shall be evidence that the notice was given as authorized by this section. Any person whose land may be sold under this section may redeem the same within the time herein prescribed, by tendering the purchase money with interest and damages to the purchaser or his agent, or if he or his agent refuse to accept the same, or resides out of the county, or is absent therefrom, he may pay the amount to the clerk of the county court, and take his receipt for the same. It shall be the duty of the sheriff or any of his successors to convey the interest of the delinquent tax-payer in the real estate sold under this act to the purchaser, after the right of redemption has expired.

§ 14. It shall be the duty of the sheriff to attend two days, at the most public place in each justices' district in his county, between the first day of August and the first day of November, and two days between the first day of November and the first day of January, in each year, for the purpose of collecting taxes and other public dues; of which attendance he shall give twenty days' previous notice, posted at five or more public places in each district.

§ 15. All acts and parts of acts inconsistent with the provisions of this act are hereby repealed.

§ 16. This act shall take effect and be in force from and after the first day of June next.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Glass and Barret, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Bunch),	F. R. Davis,	Alfred M. Jones,
Wm. Adair,	George R. Diamond,	Wm. J. McElroy,
George W. Anderson,	N. C. Dille,	George R. McKee,
Wm. F. Barret,	D. E. Downing,	Joshua B. Parks,
R. C. Beauchamp,	H. G. Duerson,	E. A. Pearson,
D. M. Bowen,	John Duvall,	Alfred T. Pope,
Orlando C. Bowles,	M. W. Ferguson,	George W. Riddle,
Samuel W. Brents,	R. T. Glass,	Robert Simmons,
E. Burr,	Ashton P. Harcourt,	Henry H. Skiles,
William B. Caldwell,	Ben. Hardin,	R. M. Spalding,
Landon Carter,	James R. Hindman,	J. L. Waring,
J. S. Chrisman,	Elijah Hogan,	W. J. Webb,
Thomas T. Cogar,	Wm. Irwin, sr.,	A. D. Weller—40.
R. L. Cooper,		

Those who voted in the negative, were—

Silas Adams,	D. Hambleton,	Edward Myall,
Ervin Anderson,	J. B. Hays,	Douglass L. Price,
Alpheus W. Bascom,	R. E. Humphrey,	G. W. Quick,
Asbury Dawson,	John W. Kendall,	William S. Richart,
James P. Ford,	Francis M. Lowe,	Geo. W. Terrell,

W. W. Frazer, G. W. Little, P. M. Thurmond,
John N. Furber, J. J. McAfee, L. Wilson,
Clinton Griffith, Thomas H. Moss, John Wolf—24.

Resolved, That the title of said bill be as aforesaid.

A message was received from the Senate, announcing that they had passed bills, which originated in the House of Representatives, of the following titles, viz:

An act to amend an act, entitled "An act to incorporate the Kentucky Central Railroad Company."

An act to repeal an act, entitled "An act to prohibit the sale of spirituous, vinous, or malt liquors in the town of Calhoon, or within two miles thereof," approved March 21, 1870.

With an amendment to the last named bill.

And that they had passed bills of the following titles, viz:

1. An act for the benefit of Mrs. Thos. J. Fisher and her daughter, Mrs. Mollie Gray.

2. An act for the benefit of the sheriff of Gallatin county.

3. An act to incorporate the Montgomery Manufacturing Company.

Which were read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That the 1st and 2d be referred to the Committee on the Judiciary, and the 3d be read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Leave was given to bring in the following bills, viz:

On motion of Mr. Kilgore—

1. A bill to amend the charter of the Big Sandy Navigation and Improvement Company.

On motion of Mr. Diamond—

2. A bill for the benefit of John J. Jordan, of Lawrence county.

Ordered, That the Committee on Corporate Institutions prepare and bring in the 1st, and the Committee on Revised Statutes the 2d.

Bills from the Senate were reported, without amendment, by the committees to whom they had been referred, of the following titles, viz:

By Mr. G. W. Anderson, from the Committee on Corporate Institutions—

An act to incorporate the Kentucky Mutual Benefit Association of Physicians.

By Mr. Simmons, from the Committee on Railroads—

An act to amend the charter of the Bowling Green, Hartford, and Ohio River Railroad Company.

By Mr. Cogar, from the Committee on Internal Improvement—

An act to authorize and empower certain persons to close the Harrodsburg and Madison State Road, in Shelby county.

By Mr. Myall, from the Committee on Religion—

An act to prohibit the sale of spirituous, vinous, or malt liquors in the town of Campbellsville.

Ey Mr. Barret, from the Committee on Education—

An act for the benefit of school district No. 9, in the county of Hancock.

By Mr. Cogar, from the Committee on Internal Improvement—

An act to amend the charter of the New Castle and Carrollton Turnpike Road, approved February 4, 1858.

By same—

An act to amend an act, entitled "An act to amend the charter of the Smithfield and Ballardsville Turnpike Road Company."

By same—

An act to incorporate the Eminence and Smithfield Turnpike Road Company.

By Mr. Dawson, from the Committee on Agriculture and Manufactures—

An act to prevent the destruction of birds in Jefferson county.

By Mr. Barret, from the Committee on Education—

An act to amend the common school law for the county of Jefferson.

By Mr. Griffith, from the Committee on Corporate Institutions—

An act for the benefit of the Southern Stock Yard Company.

By Mr. Barret, from the Committee on the Judiciary—

An act concerning the city court of Louisville.

By Mr. Cogar, from the Committee on Internal Improvement—

An act for the benefit of the Minerva and Beasley's Creek Church Turnpike Road Company, in Mason county.

By Mr. Waring, from the Committee on Corporate Institutions—

An act to amend an act, entitled "An act to incorporate the High Grove and Sayer's Depot Turnpike Road Company."

By Mr. Skiles, from the Committee on the Judiciary—

An act in relation to the town marshal of Hartford, in Ohio county.

By Mr. Cogar, from the Committee on Internal Improvement—

An act to incorporate the Peed and Johnson Turnpike Road Company.

By same—

An act authorizing the Harrison county court to appropriate money to aid in building a bridge across main Licking at Claysville, and to levy a tax therefor.

By Mr. Waring, from the Committee on Corporate Institutions—

An act to amend the charter of the town of Carrollton, in Carroll county.

By same—

An act to incorporate the Barren River Lock and Dam Company.

By Mr. Skiles, from the Committee on the Judiciary—

An act to incorporate the town of Smith's Grove, in Warren county.

By Mr. Skiles, from the Committee on Insurance—

An act to amend the charter of the Kentucky Marine Mutual Life Insurance Company.

Ordered, That said bills be read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

The House took up from the orders of the day a bill from the Senate, entitled

An act to amend an act, entitled "An act for the benefit of John T. Jackson," approved March 9, 1867.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

Resolved, That the title of said bill be as aforesaid.

The House then took up the amendments proposed by the Senate to bills, which originated in the House of Representatives, of the following titles, viz:

An act to regulate the sale of liquors in the town of Canmer, Hart county, and within one mile thereof.

An act to exempt from taxation the property belonging to the Logan Female College.

Said amendments were concurred in.

Bills were reported by the several committees who were directed to prepare and bring in the same, of the following titles, viz :

By Mr. Griffith, from the Committee on Corporate Institutions—

A bill to incorporate the Rough and Ready and Camdensville Turnpike Road Company.

By same—

A bill to amend an act, entitled "An act incorporating the town of Lawrenceburg."

By Mr. Waring, from the same committee—

A bill to amend the charter of the Big Sandy Navigation and Improvement Company.

By Mr Burr, from the same committee—

A bill to incorporate the Kentucky Chair Manufacturing Company.

By Mr. Griffith, from the same committee—

A bill to amend the charter of the city of Paducah.

By Mr. Burr, from the same committee—

A bill to incorporate Elkton Lodge, No. 67, I. O. O. F.

By Mr. Downing, from the Committee on Internal Improvement—

A bill to incorporate the Glasgow, Tompkinsville, and Cumberland River Turnpike Road Company.

By Mr. Cogar, from the same committee—

A bill to amend an act to incorporate the Kentucky River Turnpike Road Company.

By same—

A bill to amend the charter of the New Castle and Kentucky River Turnpike Road Company.

By same—

A bill to amend an act incorporating the Lagrange and Shelbyville Turnpike Road Company.

By Mr. Cooper, from the Committee on Religion—

A bill to prohibit the sale of spirituous, vinous, or malt liquors within one mile of the Glasgow railroad depot, outside the corporate limits of the town of Glasgow.

By same—

A bill to prevent the sale of spirituous liquors in Bewleyville on the Sabbath day.

By same—

A bill to prevent the sale of spirituous liquors or malt liquors in Germantown district, No. 4, in Clark county.

By Mr. Simmons, from the Committee on Railroads—

A bill to amend an act, entitled "An act to charter the Owensboro and Russellville Railroad Company," approved February 29, 1867.

By Mr. Bowen, from a select committee—

A bill for the benefit of R. T. P. Allen and his securities.

By Mr. Glass, from the Committee on Revised Statutes—

A bill for the benefit of Thos. Posey, of Henderson county.

By Mr. Duvall, from the Committee on County Courts—

A bill to authorize the county court of Henry county to publish its proceedings in the county paper.

By Mr. Wilson, from the Committee on Claims—

A bill for the benefit of Martin Rice, of Hopkins county.

By Mr. Barret, from the Committee on Education—

A bill for the benefit of school district No. 34, in Kenton county.

By same—

A bill relating to the office of school commissioner of the city of Louisville.

By Mr. Thurmond, from the Committee on Propositions and Grievances—

A bill authorizing sheriffs, administrators, &c., of Simpson county, to give notice of sales as such, in the newspaper published in said county.

Which were read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Glass, from the Committee on Banks, who were directed to prepare and bring in the same, reported

A bill to incorporate the Farmers' Bank of Webster.

Which was read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Mr. Furber moved an amendment thereto, which was adopted.

Ordered, That said bill, as amended, be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

The House then took up from the orders of the day a bill from the Senate, entitled

An act to amend the law in relation to county judges, approved February 13, 1858.

Mr. Lowe moved an amendment thereto, which was adopted.

Ordered, That said bill, as amended, be read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Bowles, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act for the benefit of S. B. Huey, of Boone county;

An act to incorporate the Warehouse Banking Company;

An act for the benefit of J. W. Hazelrigg and the heirs of E. E. Duke, deceased;

An act for the benefit of Gen. E. Kirby Smith;

An act to incorporate the Campbell County Kentucky Bank;

An act to appropriate money to the Western Lunatic Asylum;

An act to change the time of holding the county and quarterly courts of Fulton county;

An act for the benefit of the surveyor of Harlan county;

An act to allow the county court of Oldham county to issue bonds for turnpike purposes;

An act to amend an act, entitled "An act for the benefit of the county of Fleming," approved February 17, 1871;

An act to amend an act, entitled "An act to designate the holidays to be observed in the acceptance and payment of bills of exchange, &c.," approved February 7, 1868;

And had found the same truly enrolled.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Bowles inform the Senate thereof.

And then the House adjourned.

MONDAY, MARCH 20, 1871.

On motion of Mr. Barret, leave was given to bring in a bill to release the officers and directors of the Louisville Water-works from serving on juries.

Ordered, That the Committee on the Judiciary prepare and bring in the same.

The House took up the motion heretofore made to reconsider the vote by which the House disagreed to a bill from the Senate, entitled

An act providing for the registration of marriages, births, and deaths.

On motion of Mr. McKee, said motion was laid on the table.

A message was received from the Governor by Mr. Samuels, Assistant Secretary of State, announcing that he had approved and signed enrolled bills and a resolution, which originated in the House of Representatives, of the following titles, viz :

An act to incorporate the Bank of Maysville.

An act to amend the charter of Bowling Green.

An act to incorporate the town of Frenchburg, in Menifee county.

An act to amend and reduce into one the several acts in reference to the town of Eminence.

An act to incorporate the town of Flat Rock, in Bourbon county.

An act to incorporate the town of Mt. Olivet, Robertson county.

An act to incorporate the town of Calvert City, in Marshall county;

An act to amend and reduce into one the several acts relating to the charter and amendments thereto of the town of Mt. Sterling.

An act to incorporate the Widows' and Orphans' Cemetery Company of Crab Orchard.

An act to incorporate the Methodist Episcopal Church, South, Widows' and Orphans' Home.

An act to incorporate the town of Knowlesburg, in Morgan county.

An act to incorporate the town of Spottsville, in Henderson county.

An act to amend and reduce into one all the acts concerning the town of Edmonton.

An act for the benefit of Robert A. Marical, of Josh Bell county.

An act to appropriate money.

An act to amend an act, approved March 15, 1869, abolishing the Board of Internal Improvement.

An act to repeal all laws restricting the sale of hides or pelts in Shelby county.

An act to amend the charter of the Deposit Bank of Frankfort.

An act for the benefit of N. B. Campbell, of Josh Bell county.

An act to appropriate money to the Western Lunatic Asylum.

An act for the benefit of the surveyor of Harlan county.

An act to incorporate the Warehouse Banking Company.

Resolution on the death of Hon. Daniel Breck.

Bills were reported by the several committees, who were directed to prepare and bring in the same, of the following titles, viz:

By Mr. Duvall, from the Committee on County Courts—

A bill concerning the revenues due from Wayne county, for the year 1863.

By same—

A bill for the benefit of John W. Duncan, sheriff of Wayne county.

By Mr. McKee, from the Committee on Revised Statutes—

A bill to authorize Edward Hopper to qualify, execute bond, and act as executor of the last will and testament of Seymour Hopper, deceased.

By Mr. Wight, from the Committee on Propositions and Grievances—

A bill for the benefit of William Quillin, of Letcher county.

By Mr. DeMoss, from the Committee on Education—

A bill to amend an act, entitled "An act to revise, amend and reduce into one the laws relative to the common schools of Kentucky.

Which were read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

The House took up from the orders of the day a bill from the Senate, entitled

An act for the benefit of the personal representatives of Robert Foster, deceased.

Ordered, That said bill be read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

The House took up from the orders of the day a bill from the Senate, entitled

An act to amend section 26, chapter 80, of the Revised Statutes, title "Real Estate."

The question was then taken on ordering said bill to be read a third time, and it was decided in the negative.

And so said bill was disagreed to.

Bills from the Senate were reported, without amendment, by the committees to whom they had been referred, of the following titles viz:

By Mr. Chrisman, from the Committee on Railroads—

An act to amend the charter of the Hartford Railroad and Mining Company.

By Mr. Cogar, from the Committee on Internal Improvement—

An act to incorporate the Ashbottom Turnpike Road Company.

Ordered, That said bills be read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Adams, from the Committee on Military Affairs, to whom was referred a bill from the Senate, entitled

An act for the benefit of the trustees of the town of Shelbyvi lle,

Reported the same without amendment.

Ordered, That said bill be recommitted to the same committee.

A message was received from the Senate, announcing that they had received official information that the Governor had approved and signed enrolled bills, which originated in the Senate, of the following titles, viz:

An act to authorize the late judge of the Kenton county court to enter and sign certain judgments, orders, and returns, and to legalize the same.

An act for the benefit of the clerk of the Breathitt county court.

An act for the benefit of R. B. McCall, administrator of J. W. Riley, deceased.

An act for the benefit of Logan county.

An act to further protect the owners of stock living along the line of railways.

An act for the benefit of A. C. Cox, late sheriff of Green county.

That they had concurred in the amendments proposed by the House to bills, which originated in the Senate, of the following titles, viz:

An act to authorize and provide for the erection of a new court-house and clerks' offices in Fayette county.

An act to amend the charter of the city of Covington,

That they had disagreed to bills, which originated in the House of Representatives, of the following titles, viz:

An act to amend an act, entitled "An act to tax railroads, turnpike roads, and other corporations, in aid of the Sinking Fund," approved February 20, 1864.

An act for the benefit of Green McCracken, of Garrard county.

An act to amend the charter of the town of Taylorsville.

An act to release sheriffs and other officers from the penalties for failure to execute process in certain cases.

That they had passed bills which originated in the House of Representatives, of the following titles, viz:

An act for the benefit of Joel W. Sallee.

An act to amend the charter of the Licking and Big Sandy Railroad.

An act providing for comparing the polls for the election of Representatives to the General Assembly in the counties of Breathitt, Wolfe, and Powell.

An act to except Clark county from the provisions of an act, entitled "An act in relation to submitting questions of taxation to a vote of the people."

An act to secure the execution of the penal laws of the State in the counties of Clinton, Cumberland, and Monroe.

An act for the benefit of Shadrach Combs, sheriff of Letcher county, and his sureties, for the year 1869.

An act to increase the county levy of Cumberland county for county purposes.

An act to authorize the election of town officers for Mackville, Washington county.

An act to incorporate the town of Morses, in Graves county.

An act to amend the charter of the Beargrass Transportation Company.

An act to amend an act, entitled "An act to incorporate the Central Passenger Railroad Company of the city of Louisville."

An act to amend the charter of the Elizabethtown and Paducah Railroad Company, approved March 5, 1867.

An act to extend the corporate limits of the town of Hazelgreen, in Wolfe county.

An act to authorize the trustees of the town of Cloverport to sell and convey parts of certain streets.

An act to provide for the collection of railroad tax in Montgomery county.

An act to authorize Thos. B. McGowan, jailer of Fayette county, to appoint a deputy jailer.

An act to amend the charter of the town of Millersburg, in Bourbon county.

An act to amend the charter of the town of Brooksville, in Bracken county.

An act to amend an act, entitled "An act to amend chapter 84 of the Revised Statutes, title 'Roads and Passways,'" approved February 20, 1869.

An act to amend section 1, chapter 99, of the Revised Statutes.

An act concerning the pay of the officers of the Court of Appeals.

An act to amend the charter of the city of Louisville.

An act to authorize the county court of Scott county to borrow money to build a jail.

An act for the benefit of Martin Rice, of Hopkins county.

An act for the benefit of Benjamin D. Beall, clerk of the Campbell circuit court.

An act to amend an act, entitled "An act to charter the Owensboro and Russellville Railroad Company," approved February 27, 1867.

And that they had passed bills of the following titles, viz:

1. An act to amend an act, entitled "An act to establish a State House of Reform for Juvenile Delinquents," approved February 15, 1869.

2. An act for the better organization of public schools in Elizabethtown, and to establish the common school district of Elizabethtown, in Hardin county.

3. An act to amend the charter of the town of Murray.

4. An act to declare the capital stock in all the railway companies incorporated by the laws of this State personal property.

Which were read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That they be referred—the 1st to the Committee on Charitable Institutions; the 2d to the Committee on Education; the 3d to the Committee on Corporate Institutions; and the 4th to the Committee on Railroads.

A message was received from the Senate, announcing that they had passed bills, which originated in the House of Representatives, of the following titles, viz:

An act to prohibit the carrying of concealed deadly weapons.

An act to amend section 1, article 1, chapter 84, Revised Statutes, title "Roads and Passways."

An act to amend an act, entitled "An act for the benefit of late clerks, sheriffs, late jailers, and other civil officers of the Commonwealth having uncollected fee bills."

An act to amend the charter of the town of New Castle, Henry county.

An act for the benefit of the judge of the Todd county and quarterly courts.

An act incorporating College Street Presbyterian Church, of Louisville.

With amendments to each of said bills.

And that they had passed a bill, entitled

An act in relation to examining courts.

The rule being suspended, the last named bill was taken up, read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

The House took up the amendments proposed by the Senate to bills, which originated in the House of Representatives, of the following titles, viz :

An act for the benefit of Robert Gibbs.

An act to prohibit the carrying of concealed deadly weapons.

The question was taken on concurring in the amendments proposed by the Senate to the bills aforesaid, and it was decided in the negative.

And so said amendments were not concurred in.

The House took up the amendments proposed by the Senate to bills, which originated in the House of Representatives, of the following titles, viz :

An act to repeal an act, entitled "An act to prohibit the sale of spirituous, vinous, or malt liquors in the town of Calhoun, or within two miles thereof," approved March 21, 1870.

An act to incorporate the Kentucky Baptist Historical Society.

An act to mark and define the boundary line between the counties of Muhlenburg and McLean.

An act for the benefit of the levy court of Henry county.

An act to amend an act to regulate the sale of spirituous liquors to minors.

An act incorporating College Street Presbyterian Church of Louisville.

An act for the benefit of the judge of the Todd county and quarterly courts.

An act to amend the charter of the town of New Castle, Henry county.

An act to amend an act, entitled "An act for the benefit of late clerks, sheriffs, late jailers, and other civil officers of this Commonwealth having uncollected fee bills."

An act for the benefit of A. W. Nickell, sheriff of Johnson county, and his sureties, for the year 1867.

Said amendments were severally concurred in.

The House took up from the orders of the day a bill from the Senate, entitled

An act concerning the Adjutant General.

Mr. Hindman moved an amendment to said bill.

Mr. McKee moved an amendment to the amendment proposed by Mr. Hindman.

Pending discussion on said bill and amendments, the hour for taking a recess, under the resolution heretofore adopted, arrived, and the further consideration thereof was postponed till to-morrow.

A message was received from the Senate, announcing that they had passed bills, which originated in the House of Representatives, of the following titles, viz:

An act to amend the charter of the Big Sandy Navigation and Improvement Company.

An act to incorporate the Wayne County Agricultural and Mechanical Society.

With an amendment to the last named bill.

And that they had passed bills of the following titles, viz:

1. An act concerning the sale of stock owned by the State of Kentucky in turnpike roads or turnpike road companies.

2. An act to authorize the board of trustees of the town of Danville to borrow money to pay off the indebtedness of said town.

3. An act to provide for the transfer of causes from the McCracken circuit court to the McCracken common pleas court in certain cases.

4. An act to incorporate the town of Nebo, in Hopkins county.

5. An act for the benefit of the police judge of Caseyville, in Union county.

Which were read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That they be referred--the 1st to the Committee on the Sinking Fund; the 2d to the Committee on Propositions and Grievances; the 3d to the Committee on Circuit Courts; the 4th to the Committee on Corporate Institutions, and the 5th to the Committee on County Courts.

The House resumed the consideration of a bill, entitled

A bill to amend an act in relation to peddlers, approved March 4, 1856, and amended March 18, 1870.

Under the order of the House on yesterday, said bill, being engrossed, was read a third time.

Mr. McKee moved the previous question.

And the question being stated, "Shall the main question be now put?" it was decided in the affirmative.

And so the main question was ordered.

Mr. Wilson then moved to reconsider the vote by which the main question was ordered.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Hardin and Wilson, were as follows, viz:

Those who voted in the affirmative, were—

Ervin Anderson,	George M. Jessee,	Douglass L. Price,
Orlando C. Bowles,	Alfred M. Jones,	G. W. Quick,
Samuel W. Brents,	John W. Kendall,	Robert Simmons,
J. S. Chrisman,	Francis M. Lowe,	Henry H. Skiles,
George R. Diamond,	William J. McElroy,	P. M. Thurmond,
Ben. Hardin,	James A. McKenzie,	W. J. Webb,
J. B. Hays,	Thomas H. Moss,	L. Wilson—23.
James R. Hindman,	Edward Myall,	

Those who voted in the negative, were—

Mr. SPEAKER (Bunch),	J. C. DeMoss,	R. E. Humphrey,
William Adair,	D. E. Downing,	William Irwin, sr.,
Wm. F. Barret,	John Duvall,	G. W. Little,
Robt. C. Beauchamp,	M. W. Ferguson,	George R. McKee,
D. M. Bowen,	James P. Ford,	Joshua B. Parks,
William B. Caldwell,	W. W. Frazer,	E. A. Pearson,
James E. Cantrill,	Samuel G. Geisler,	William S. Richart,
Thomas T. Cogar,	Clinton Griffith,	George W. Riddle,
R. L. Cooper,	D. Hambleton,	Richard M. Spalding,
F. R. Davis,	Ashton P. Harcourt,	J. L. Waring,
Asbury Dawson,	Elijah Hogan,	A. D. Weller—33.

Said bill reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the act, entitled "An act to amend the several acts in relation to peddlers," approved March 4th, 1856, and amended March 18, 1870, be, and hereby is, so amended that said act shall not apply to the agents of those merchants residing and doing business within the State of Kentucky, who pay an annual tax to the Treasury of the State on their stock of merchandize.

§ 2. This act shall take effect from and after its passage.

The question was then taken on the passage of said bill, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Wilson and Kendall, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Bunch),	J. C. DeMoss,	George R. McKee,
William Adair,	M. W. Ferguson,	Joshua B. Parks,
Geo. W. Anderson,	W. W. Frazer,	E. A. Pearson,
William F. Barret,	Samuel G. Geisler,	W. V. Prather,
Samuel W. Brents,	Clinton Griffith,	William S. Richart,
William B. Caldwell,	D. Hambleton,	George W. Riddle,
Thomas T. Cogar,	Ashton P. Harcourt,	Richard M. Spalding,
R. L. Cooper,	R. E. Humphrey,	J. L. Waring—26.
Asbury Dawson,	Wm. Irwin, sr.,	

Those who voted in the negative, were—

Silas Adams,	J. B. Hays,	Thomas H. Moss,
Ervin Anderson,	James R. Hindman,	Edward Myall,
D. M. Bowen,	Elijah Hogan,	Douglass L. Price,
Orlando C. Bowles,	George M. Jessee,	G. W. Quick,
James E. Cantrill,	Alfred M. Jones,	Robert Simmons,
Landon Carter,	John W. Kendall,	Henry H. Skiles,
J. S. Chrisman,	Francis M. Lowe,	P. M. Thurmond,
F. R. Davis,	G. W. Little,	W. J. Webb,
George R. Diamond,	J. J. McAfee,	A. D. Weller,
D. E. Downing,	Wm. J. McElroy,	John F. Wight,
James P. Ford,	James A. McKenzie,	L. Wilson—34.
Ben. Hardin,		

And so said bill was rejected.

Mr. McKee, from the Committee on Revised Statutes, who were directed to prepare and bring in the same, reported

A bill for the benefit of farmers, manufacturers, and licensed auctioneers and peddlers of this Commonwealth.

Which was read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Mr. Cooper moved an amendment to said bill.

On motion of Mr. Lowe, said bill was recommitted to the same committee, with instructions to report thereon at 9 o'clock, A. M., to-morrow.

Mr. Bowles, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the Senate, of the following titles, viz:

An act to authorize and provide for the erection of a new court-house and clerks' offices in Fayette county;

An act to incorporate the Kentucky Mutual Benefit Association of Physicians;

An act to incorporate the Eminence and Smithfield Turnpike Road Company;

An act to incorporate the Peed and Johnson Turnpike Road Company;

An act to incorporate the Barren River Lock and Dam Company;

An act to amend the charter of the city of Covington;

An act concerning the city court of Louisville;

An act for the benefit of the Southern Stock Yard Company;

An act to incorporate the Grayson Station and Grayson Springs Turnpike Road Company, in Grayson county;

An act to incorporate the Montgomery Manufacturing Company;

An act to amend an act, entitled "An act for the benefit of John T. Jackson," approved March 9, 1867;

An act to amend the charter of the Bowling Green, Hartford, and Ohio River Railroad Company;

An act in relation to the town marshal of Hartford, in Ohio county;

An act to prohibit the sale of spirituous, vinous, or malt liquors in the town of Campbellsville;

An act for the benefit of Murray common school district, in Calloway county;

An act for the benefit of school district No. 9, in the county of Hancock;

An act to amend the common school law for the county of Jefferson;

An act to amend an act, entitled "An act to amend the charter of the Smithfield and Ballardsville Turnpike Road Company;"

An act for the benefit of the Minerva and Beasley's Creek Church Turnpike Road Company, in Mason county;

An act to amend an act, entitled "An act to authorize the Louisville chancery court, and the Jefferson circuit and county courts, to increase the compensation of the surveyor of Jefferson county in certain cases;

An act concerning the city court of Louisville;

An act to incorporate the town of Smith's Grove, in Warren county;

An act to prevent the destruction of birds in Jefferson county;

An act authorizing the Harrison county court to appropriate money to aid in building a bridge across main Licking at Claysville, and to levy a tax therefor;

An act to amend an act, entitled " An act to incorporate the High Grove and Sayer's Depot Turnpike Road Company;"

An act to amend the charter of the town of Carrollton, in Carroll county;

An act to authorize and empower certain persons to close the Harrodsburg and Madison State Road, in Henry county.

And also enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act for the benefit of the Logan Female College;

An act to incorporate the Athens and Walnut Hill Turnpike Company;

An act to incorporate the Greenup and Boyd County Turnpike Road Company;

An act for the benefit of the Kentucky River Turnpike Road Company;

An act to repeal section 6 of an act, entitled "An act to amend the charter of the Ashland and Catlettsburg Turnpike," approved February 3, 1871;

An act to incorporate the New Castle and Bethlehem Turnpike Road Company;

An act to charter the Springfield and Chaplain Turnpike Road Company;

An act to incorporate the Perryville and Old Mackville Turnpike Road Company, in Boyle and Mercer counties;

An act for the benefit of Park's Ferry and Carlisle Turnpike Road Company;

An act to charter the Lagrange and Brownsboro Turnpike Company;

An act to authorize the county court of Scott county to increase its subscriptions to turnpike roads;

Au act to incorporate the Falls City Tobacco Manufacturing Company;

An act to amend an act, entitled "An act to incorporate the Kentucky Central Railroad Company;"

An act to appropriate certain moneys due by the county of Wayne to the Public Treasury, in aid of the construction of a certain turnpike road;

An act for the benefit of Knox county;

An act to incorporate the Farmers' and Traders' Bank, of Shelbyville;

An act to prohibit the sale of intoxicating liquors in the county of Bullitt;

An act to authorize the condemnation of land for cemetery purposes in Pendleton county;

An act to amend an act, entitled "An act to incorporate the Webster Coal Company," approved March 9, 1867;

An act to incorporate the Henderson Fence Company;

An act to amend an act, entitled "An act to incorporate the Bowling Green Manufacturing Company;"

An act to incorporate the Kentucky River Salt Manufacturing Company, in Perry county;

An act to amend an act, entitled "An act to incorporate the Eagle Petroleum and Mineral Company;"

An act to amend the charter of the Kentucky Real Estate and Building Company;

An act to amend an act, entitled "An act to charter the Louisville Naphthaline Steel Manufacturing Company;"

An act to incorporate the Glasgow Cemetery Company;

An act to amend an act, entitled "An act to incorporate the Spring Station Turnpike Road Company;"

An act for the benefit of the Paris and Winchester Turnpike Road Company;

An act to amend an act, entitled "An act to incorporate the Cynthiana and Millersburg Turnpike Road Company;"

An act for the benefit of the Bridgeport and Farmdale Turnpike Road Company;

An act for the benefit of the Covington and DeCourcey Creek Turnpike Road Company;

An act authorizing the county court for the county of Muhlenburg to release James C. Moorman from his bond, whereby a negro girl, Caroline, was apprenticed to him;

An act to authorize the Pendleton county court to borrow money for certain purposes;

An act to legalize certain acts of the Pendleton county court;

An act for the benefit of John E. Walton, of Boone county;

An act for the benefit of Nelson Whitaker, of Mason county;

An act for the benefit of Wm. D. Dye, of Lincoln county;

An act for the benefit of John M. Fish, of Rockcastle county;

An act for the benefit of A. C. Kincheloe, of Spencer county;

An act authorizing Washington county court to levy an ad valorem tax of not exceeding twenty cents on the one hundred dollars, to pay the indebtedness of the county on account of turnpike roads;

An act for the benefit of Washington county;

An act to amend an act, entitled "An act for the benefit of the county of Morgan," approved January 17, 1867;

An act appointing commissioners to settle with the county judges of the counties of Knox and Josh Bell in relation to the tolls received by them from gate-keepers on the Wilderness Turnpike Road;

An act authorizing the judge of the Spencer county court to appoint trustees for the town of Taylorsville when vacancies occur;

An act authorizing the county court of Washington county to construct a bridge across the Little Beech in said county, and to provide for the payment of same;

An act to authorize the Elliott county court to issue bonds to raise a fund for the erection of the public buildings of said county;

An act to create and regulate the office of county treasurer of Floyd county;

An act to amend an act to incorporate the Lancaster, Fall Lick, and Mt. Vernon Turnpike Company;

An act to authorize the county judge of Mason county to vote certain stock in the Maysville and Lexington Railroad, Northern Division, at the next annual election for directors;

An act for the benefit of Pope & Camp, of Louisville;

An act appropriating certain lands to the county of Pendleton;

An act to authorize John B. Goff to erect a boom across Big creek, in Martin county;

An act to amend the charter of the Pleasant Hill and Jessamine County Turnpike Road Company;

An act to incorporate the New Haven and Howard's Mill Turnpike Road Company;

An act to amend an act, entitled "An act to incorporate the Farmers' Turnpike Road Company," approved March 3, 1851;

An act to incorporate the Sligo and Pendleton Station Turnpike Company;

An act to incorporate the Newcastle and Sulphur Turnpike Road Company;

An act for the benefit of toll-gate keeper in Josh Bell county;

An act to incorporate the Little Benson and Lane's Mill Turnpike Road Company;

An act to declare John's creek, in Floyd, Johnson, and Pike counties, a navigable stream;

An act to charter the Middleburg, Knob Lick, and Trace Fork Turnpike Road Company;

An act fixing the rate of freight and tolls on the North Middletown and Mt. Sterling Turnpike Road;

An act to amend an act, entitled "An act to create a special road law for the county of Pendleton;"

An act to amend an act, entitled "An act to amend an act to authorize the Pendleton county court to raise money to build bridges, &c;"

An act to amend the charter of the Richmond and Big Hill Turnpike Road Company;

And had found the same truly enrolled.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Bowles inform the Senate thereof.

And then the House adjourned.

TUESDAY, MARCH 21, 1871.

On motion, leave of absence, indefinitely, was granted to Messrs. J. B. Hays, Riddle, and Carter.

Mr. Duvall, from the Committee on County Courts, to whom were referred a bill from the Senate, entitled

An act for the benefit of the police judge of Caseyville, in Union county.

Ordered, That said bill be read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

A message was received from the Senate, announcing that they had received official information that the Governor had approved and

signed enrolled bills, which originated in the Senate, of the following titles, viz:

An act to exclude Crab Orchard Springs from the limits of Crab Orchard.

An act to repeal an act, entitled "An act to define the line between the counties of Lewis and Carter," approved March 9, 1868.

An act to require the clerk of the Green county court to index and cross-index certain deed books in Green county.

An act authorizing the county courts of Estill and Lee to permit persons to erect gates across the public road leading from Irvine to Beattyville.

An act to incorporate the Frankfort, Paris, and Big Sandy Railroad Company.

An act to empower the county court of Lawrence county to levy an additional tax in said county, and for other purposes.

An act concerning the poor-house farm in Clark county.

An act to amend section 3, article 3, chapter 17, of Revised Statutes.

An act to authorize and empower the Bedford Division, Sons of Temperance, to sell and convey its real estate.

An act for the benefit of Clay county.

An act to amend an act, entitled "An act for the benefit of the county court of Union county," approved February, 1871.

An act to amend the charter of the town of Mayfield.

That they had adopted a resolution, entitled

Resolution to print and distribute in pamphlet form the general laws passed at the present session of the General Assembly.

That they had concurred in the amendments proposed by the House to bills, which originated in the Senate, of the following titles, viz:

An act for the personal representatives of Robert Foster, deceased.

An act to amend the law in relation to county judges, approved February 13, 1858,

That they had disagreed to bills, which originated in the House of Representatives, of the following titles, viz:

An act to fix the liabilities of express companies.

An act to incorporate the Paducah and Woodville Gravel Road Company.

An act further to amend the charter of the Paducah, Benton, and Murray Gravel Road Company.

An act to authorize McCracken county to subscribe, pay for, and hold stock in, any gravel road company whose road or any part shall be made in said county.

An act to amend an act, entitled "An act to amend section 4, article 7, chapter 32, of the Revised Statutes."

An act prohibiting officers of this State from assisting in the passage or rejection of any bill before the General Assembly.

That they had passed bills which originated in the House of Representatives, of the following titles, viz:

An act to amend an act, entitled "An act to incorporate the Henderson German School Association," approved February 5, 1869.

An act for the benefit of common school district No. 2, in Montgomery county.

An act to incorporate the district of Hayfield, in Campbell county.

An act to incorporate the Eminence Agricultural and Mechanical Association.

An act to charter a Steam Ferry Company at the mouth of the Ohio river.

An act to expedite the collection of the war claims of the State of Kentucky.

An act to regulate the selling of vinous, malt, or other intoxicating liquors, within Elk creek precinct, in Spencer county.

An act authorizing Wm. Green, of Elliott county, to erect a mill-dam across Little Sandy river.

An act to repeal an act, entitled "An act granting premiums on the scalps of wolves, wild cats, and red foxes in this State," approved March 21, 1870; and an act, entitled "An act granting premiums on red and grey foxes, wolves and wild cats' scalps in this State," approved February 17, 1866.

An act for the benefit of the Pendleton Academy.

An act for the benefit of the Bourbon County Agricultural Society.

An act to restrict the granting of license to sell spirituous, vinous, or malt liquors, and the sale thereof, in the town of Leitchfield, or within one mile of the court-house therein.

An act for the benefit of Moore Pickle, colored.

An act for the benefit of the estate of Young E Hurt, late sheriff of Adair county.

An act for the benefit of John W. Duncan, sheriff of Wayne county.

An act to incorporate the Farmers' Bank of Webster.

An act for the benefit of Thos. Posey, of Henderson county.

An act relating to the office of school commissioner of the city of Louisville.

An act concerning the revenue due from Wayne county for the year 1863.

An act to authorize Edward Hopper to qualify, execute bond, and act as executor of the last will and testament of Seymour Hopper, deceased.

An act to incorporate the Glasgow, Tompkinsville, and Cumberland River Turnpike Road Company.

An act to prevent the sale of spirituous, vinous, or malt liquors in the town of DeMossville, in Pendleton county.

An act to repeal section 2 of an act to amend the charter of Princeton College.

An act to prevent the destruction of fish in the South Fork of Licking river and its tributaries.

An act to prohibit the sale of spirituous, vinous, or malt liquors within one mile of the Glasgow railroad depot, outside the corporate limits of the town of Glasgow.

With amendments to the last four named bills.

And that they had passed bills of the following titles, viz:

1. An act to exempt a certain part of the wages of laborers from garnisheement or attachment, or other legal or equitable process for the collection of debts.

2. An act for the better organization of public schools in the city of Bowling Green.

3. An act to repeal an act, entitled "An act concerning public books, and providing for the supply to destitute counties," approved March 16, 1869.

4. An act supplemental to an act, entitled "An act providing for the completion of fire-proof offices in the city of Frankfort," approved March 9, 1871.

5. An act to incorporate the Anchor Steel Company.

6. An act supplementary to an act, entitled "An act to establish a chancery court in the counties of Campbell, Kenton, Bracken, and Pendleton counties," approved March 20, 1871.

7. An act to amend the charter of the Brownsboro, Sand Hill, and Brownsboro and Jefferson Turnpike Road Company.

8. An act to amend an act, entitled "An act to amend an act to allow the citizens of Henry county to vote a tax in aid of turnpike companies of said county."

9. An act to repeal an act, entitled "An act to enable Warren county to construct macadamized and other roads in said county," approved March 9, 1868.

Which were read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That they be referred—the 1st to the Committee on Revised Statutes; the 2d to the Committee on Education; the 3d to the Committee on County Courts; the 4th to the Committee on Public Offices; the 5th to the Committee on Corporate Institutions; the 6th to the Committee on the Judiciary; the 7th and 8th to the Committee on Internal Improvement; and the 9th to the Committee on Propositions and Grievances.

Mr. Hindman, from the Committee on Military Affairs, to whom was recommitted a bill from the Senate, entitled

An act for the benefit of the trustees of the town of Shelbyville,

Reported the same without amendment.

Ordered, That said bill be read a third time.

Said bill was then read a third time as follows, viz:

WHEREAS, During the late civil war the trustees of the town of Shelbyville, Shelby county, Ky., procured from the State Armory twenty Smith & Wesson carbines, to be used for the protection of the town against guerrillas and other marauders, and executed their bond to the State for the return of said guns; and whereas, the room of the court-house in Shelbyville, where said guns were stored for safe-keeping, has been broken [open] by some unknown person or persons, and all of said guns stolen, except nine, without any fault or negligence on the part of said trustees; therefore,

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That said trustees and their successors be, and they are hereby, released from all liability upon said bond, when they have caused the nine remaining guns to be returned to the State Armory, and the receipt of the proper officer taken for same.

§ 2. This act shall take effect from its passage.

The question was then taken on the passage of said bill, and no quorum voting, said bill was placed in the orders of the day.

The yeas and nays being required thereon by Messrs. G. W. Anderson and Ferguson, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Bunch),	Robert T. Glass,	E. A. Pearson,
D. M. Bowen,	Clinton Griffith,	Alfred T. Pope,
Orlando C. Bowles,	D. Hambleton,	G. W. Quick,

Samuel W. Brents,	James R. Hindman,	William S. Richart,
E. Burr,	Elijah Hogan,	Henry H. Skiles,
William B. Caldwell,	R. E. Humphrey,	R. M. Spalding,
James E. Cantrill,	John W. Kendall,	P. M. Thurmond,
Landon Carter,	Francis M. Lowe,	J. L. Waring,
J. S. Chrisman,	G. W. Little,	W. J. Webb,
R. L. Cooper,	William J. McElroy,	A. D. Weller,
F. R. Davis,	George R. McKee,	John F. Wight,
D. E. Downing,	James A. McKenzie,	L. Wilson,
H. G. Duerson,	Edward Myall,	John Wolf—40.
John N. Furber,		

Those who voted in the negative, were—

William Adair,	Asbury Dawson,	William Irwin, sr.,
George W. Anderson,	M. W. Ferguson,	Douglass L. Price—7.
W. F. Barret,		

But a quorum appearing immediately after the announcement of said vote, the said bill was again taken up from the orders of the day.

The question was then again taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. G. W. Anderson and Ferguson, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Bunch),	John Duvall,	James A. McKenzie,
William Adair,	M. W. Ferguson,	Thomas H. Moss,
Silas Adams,	James P. Ford,	Edward Myall,
Rob't C. Beauchamp,	W. W. Frazer,	E. A. Pearson,
D. M. Bowen,	John N. Furber,	Alfred T. Pope,
Orlando C. Bowles,	Robert T. Glass,	William S. Richart,
E. Burr,	Clinton Griffith,	George W. Riddle,
James E. Cantrill,	D. Hambleton,	Henry H. Skiles,
Landon Carter,	Elijah Hogan,	R. M. Spalding,
J. S. Chrisman,	Alfred M. Jones,	P. M. Thurmond,
Thomas T. Cogar,	John W. Kendall,	W. J. Webb,
R. L. Cooper,	Francis M. Lowe,	A. D. Weller,
F. R. Davis,	G. W. Little,	John F. Wight,
George R. Diamond,	Wm. J. McElroy,	L. Wilson,
D. E. Downing,	George R. McKee,	John Wolf—46.
H. G. Duerson,		

Those who voted in the negative, were—

George W. Anderson,	William Irwin, sr.,	Joshua B. Parks,
Asbury Dawson,	Thomas E. Moss,	G. W. Quick—6.

Resolved, That the title of said bill be as aforesaid.

Bills from the Senate were reported, without amendment, by the committees to whom they had been referred, of the following titles, viz:

By Mr. G. W. Anderson, from the Committee on Corporate Institutions—

An act to amend the charter of Uniontown.

By Mr. Thurmond, from the Committee on Propositions and Grievances—

An act to authorize the board of trustees of the town of Danville to borrow money to pay off the indebtedness of said town.

By Mr. McKenzie, from the Committee on Railroads—

An act to incorporate the Bowling Green, Glasgow, and Greensburg Railroad Company.

By same—

An act to incorporate the Bowling Green and Madisonville Railroad Company.

By Mr. Barret, from the Committee on Education—

A bill for the better organization of public schools in Elizabethtown, and to establish the common school district of Elizabethtown, in Hardin county.

By Mr. Simmons, from the Committee on Ways and Means—

An act to require the clerk of the Harrison circuit court to index and cross-index certain judgment and order-books in his office.

By Mr. G. W. Anderson, from the Committee on Corporate Institutions—

An act to incorporate the town of Nebo, in Hopkins county.

By same—

An act to amend the charter of the town of Murray, in Calloway county.

By Mr. Parks, from the Committee on Internal Improvement—

An act to charter the Boston and Fisherville Turnpike Road Company.

By Mr. Barret, from the Committee on Education—

An act for the benefit of the Franklin Library, of Covington.

By same—

An act to prevent justices of the peace, in Kenton county, from holding inquests in certain cases.

By Mr. McKenzie, from the Committee on Railroads—

An act to declare the capital stock in all the railway companies, incorporated by the laws of this State, personal property.

By same—

An act to authorize the stockholders of the Hickman and Obion Railroad Company to elect a new board of directors.

By Mr. Chrisman, from the Committee on Circuit Courts—

An act to provide for the transfer of cases from the McCracken circuit court to the McCracken common pleas court in certain cases.

By Mr. Frazer, from the Committee on Ways and Means—

An act for the benefit of J. C. Calhoun, sheriff of McCracken county.

By Mr. McKenzie, from the Committee on Railroads—

An act to amend an act, entitled "An act to incorporate the Cincinnati, Covington, and Cumberland Gap Railroad Company," approved March 11th, 1867.

By Mr. Cooper, from the Committee on Religion—

An act to incorporate the Green River Synod of the Cumberland Presbyterian Church in Kentucky.

By Mr. Wight, from the Committee on Propositions and Grievances—

An act to repeal an act, entitled "An act to enable Warren county to construct macadamized and other roads in said county," approved March 9, 1868.

By Mr. McKenzie, from the Committee on Railroads—

An act to regulate the manner of constructing cattle-guards on railroads in this Commonwealth.

By Mr. Griffith, from the Committee on Corporate Institutions—

An act to amend the charter of the town of Irvine.

Ordered, That said bills be read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

A message was received from the Senate, announcing that they had passed bills of the following titles, viz:

An act for the benefit of John White, of Henry county.

An act to incorporate the Light's Hill Turnpike Road Company, in Kenton county.

An act supplemental to an act, entitled "An act to establish a chancery court in the counties of Campbell, Kenton, Bracken, and Pendleton counties," approved March 20, 1871.

An act to amend an act, entitled "An act in relation to the sale of spirituous, vinous, or malt liquors in Logan county," approved March 12, 1870.

The rule requiring the reference of said bills to committees being suspended, they were each taken up, read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Bills were reported by the several committees who were directed to prepare and bring in the same, of the following titles, viz:

By Mr. Barret, from the Committee on the Judiciary—

A bill to relieve the directors and officers of the Louisville Water Company from service as grand and petit jurors in the county of Jefferson.

By same—

A bill to amend an act, entitled "An act to amend the charter of the Louisville and Salt River Turnpike Road Company," approved February 17, 1871.

By Mr. Cooper, from the Committee on Religion—

A bill to prohibit the sale of spirituous, vinous, or malt liquors in the town of Middleburg, in Casey county.

By same—

A bill to prohibit the sale of spirituous or vinous liquors in the town of Warsaw, and within four miles thereof, in Gallatin county.

By Mr. G. W. Anderson, from the Committee on Corporate Institutions—

A bill to amend an act to incorporate the Eagle Petroleum and Mineral Company, approved February 10, 1865.

By Mr. Barret, from the Committee on Education—

A bill for the benefit of school district No. 7, in Henry county.

By Mr. Harcourt, from the Committee on Railroads—

A bill to incorporate the Broadway and Dunkirk Railway Company.

By Mr. Glass, from the Committee on Revised Statutes—

A bill to amend an act, entitled "An act for the benefit of the negroes and mulattoes of this Commonwealth."

By Mr. McKenzie, from the Committee on Railroads—

A bill to amend an act, entitled "An act to incorporate the Louisville, Harrod's Creek, and Westport Railroad Company.

By Mr. Duvall, from the Committee on County Courts—

A bill to amend the 832d section of the Civil Code of Practice.

By Mr. Cooper, from the Committee on Education—

A bill establishing the Orphans' School of Daughters' College.

By Mr. Barret, from the same committee—

A bill for the benefit of school district No. 49, in Monroe county.

By Mr. McKenzie, from the Committee on Railroads—

A bill to amend the charter of the Elkton Railroad Company.

By Mr. Chrisman, from the Committee on Claims—

A bill for the benefit of W. H. Stanley.

By Mr. Weller, from the Committee on Internal Improvement—

A bill to incorporate the Leesburg and Clay's Cross Roads Turnpike Company.

Which were read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Leave was given to bring in the following bills, viz:

On motion of Mr. Skiles—

1. A bill to repeal certain road laws in Warren county.

On motion of Mr. Duerson—

2. A bill to amend the charter of the Brownsboro and Sand Hill Turnpike Road Company.

Ordered, That the Committee on the Judiciary prepare and bring in the 1st, and the Committee on Internal Improvement the 2d.

Mr. Barret, from the Committee on the Judiciary, who were directed to prepare and bring in the same, reported

A bill to amend the charter of the city of Frankfort.

Which was read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Mr. Bowen offered a substitute by way of amendment to said bill.

On motion, said bill and amendment were laid on the table.

Mr. McKee moved the following resolution, viz:

Resolved, That the Public Printer be, and is hereby, directed to forward to each member of the House of Representatives, and the officers thereof, such sheets of the Journals of the Senate and House of Representatives as may not have been printed at the time of the present adjournment of the Legislature, together with a synopsis of the general, and the titles of the private, acts passed at this session, on which the postage is to be paid; twenty-five copies of said synopsis of the acts to be forwarded to each member of this House, and the officers thereof.

Which, being twice read, was unanimously adopted.

Mr. Skiles, from the Committee on the Judiciary, to whom was referred a bill from the Senate, entitled

An act for the benefit of the sheriff of Jefferson county,

Reported the same without amendment.

Said bill reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the sheriff of Jefferson county shall be allowed two ($2) dollars per day in each, the Jefferson circuit court and common pleas court, for his attendance by himself or deputies in said courts, the number of days of said service to be certified to the Auditor of Public Accounts by the judge of the respective courts.

§ 2. This act to take effect from and after its passage.

The question was then put, "Shall the bill be read a third time?" and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Furber and E. Anderson, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Bunch),	H. G. Duerson,	J. J. McAfee,
George W. Anderson,	M. W. Ferguson,	Joshua B. Parks,
D. M. Bowen,	James P. Ford,	E. A. Pearson,
Orlando C. Bowles,	Samuel G. Geisler,	Alfred T. Pope,
Jesse D. Bright,	Robert T. Glass,	W. V. Prather,
William B. Caldwell,	Elijah Hogan,	Douglass L. Price,
Landon Carter,	R. E. Humphrey,	Henry H. Skiles,
J. S. Chrisman,	William Irwin, sr.,	R. M. Spalding,
Thomas T. Cogar,	George M. Jessee,	J. L. Waring—29.
George R. Diamond,	John W. Kendall,	

Those who voted in the negative, were—

William Adair,	John N. Furber,	Thomas H. Moss,
Silas Adams,	D. Hambleton,	Edward Myall,

Ervin Anderson,	A. P. Harcourt,	G. W. Quick,
Rob't C. Beauchamp,	Ben. Hardin,	Wm. S. Richart,
Samuel W. Brents,	James R. Hindman,	P. M. Thurmond,
E. Burr,	Francis M. Lowe,	W. J. Webb,
R. L. Cooper,	G. W. Little,	A. D. Weller,
Asbury Dawson,	William J. McElroy,	John F. Wight,
D. E. Downing,	George R. McKee,	L. Wilson,
John Duvall,	James A. McKenzie,	John Wolf—32.
W. W. Frazer,	Thomas E. Moss,	

And so said bill was disagreed to.

The House took up the motion, heretofore entered, to reconsider the vote by which the House passed a bill, entitled

A bill to regulate toll-gates on turnpike roads in Fayette county.

Mr. Cogar moved to lay the motion to reconsider on the table.

The question being taken thereon, but no quorum voting, said bill was placed in the orders of the day.

The yeas and nays being required thereon by Messrs. Price and Furber, were as follows, viz :

Those who voted in the affirmative, were—

Rob't C. Beauchamp,	H. G. Duerson,	J. J. McAfee,
Samuel W. Brents,	M. W. Ferguson,	William J. McElroy,
Jesse D. Bright,	James P. Ford,	Thomas E. Moss,
Wm. B. Caldwell,	W. W. Frazer,	Edward Myall,
J. S. Chrisman,	Jas. R. Hindman,	George W. Riddle,
Thomas T. Cogar,	R. E. Humphrey,	A. D. Weller,
F. R. Davis,	William Irwin, sr.,	John F. Wight—23.
D. E. Downing,	George M. Jessee,	

Those who voted in the negative, were—

Mr. SPEAKER (Bunch),	Elijah Hogan,	G. W. Quick,
William Adair,	Alfred M. Jones,	Wm. S. Richart,
Ervin Anderson,	Francis M. Lowe,	Robert Simmons,
D. M. Bowen,	Thomas H. Moss,	R. M. Spalding,
James E. Cantrill,	Joshua B. Parks,	P. M. Thurmond,
John Duvall,	Alfred T. Pope,	J. L. Waring,
John N. Furber,	Douglass L. Price,	L. Wilson—22.
Samuel G. Geisler,		

And after a time a quorum appeared, and said bill was again taken up from the orders of the day.

The question was then again taken on the motion to lay the motion to reconsider on the table, and it was decided in the negative.

And then the question was taken on the motion to reconsider the vote by which said bill was passed, but no quorum voting thereon, the bill was again placed in the orders of the day.

Mr. Skiles, from the Committee on the Judiciary, to whom was referred a bill from the Senate, entitled

An act to provide for the settlement of the accounts of Jordan Clark and Thomas P. Smith, late receiver of the Louisville chancery court,

Reported the same without amendment.

Mr. Caldwell moved an amendment to said bill, which was adopted.

Ordered, That said bill, as amended, be read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Hardin moved to suspend the rules of the House for the purpose of granting a leave to the member from Christian to introduce a bill to repeal all laws passed at this session of the General Assembly granting the privilege of disposing of realty, personalty, or choses in action by chance or lottery.

The yeas and nays being required thereon by Messrs. Glass and Hardin, were as follows, viz :

Those who voted in the affirmative, were—

Mr. SPEAKER (Bunch),	James P. Ford,	James A. McKenzie,
Wm. Adair,	W. W. Frazer,	Thomas E. Moss,
Silas Adams,	John N. Furber,	Edward Myall,
George W. Anderson,	R. T. Glass,	Alfred T. Pope,
Ervin Anderson,	Clinton Griffith,	Douglass L. Price,
Wm. F. Barret,	D. Hambleton,	G. W. Quick,
R. C. Beauchamp,	Ashton P. Harcourt,	William S. Richart,
D. M. Bowen,	Ben. Hardin,	Robert Simmons,
E. Burr,	James R. Hindman,	P. M. Thurmond,
William B. Caldwell,	R. E. Humphrey,	J. L. Waring,
R. L. Cooper,	Wm. Irwin, sr.,	W. J. Webb,
F. R. Davis,	Francis M. Lowe,	A. D. Weller,
J. C. DeMoss,	G. W. Little,	John F. Wight,
D. E. Downing,	Wm. J. McElroy,	L. Wilson,
John Duvall,	George R. McKee,	John Wolf—45.

Those who voted in the negative, were—

Orlando C. Bowles,	N. C. Dille,	J. J. McAfee,
Samuel W. Brents,	H. G. Duerson,	Thomas H. Moss,
J. S. Chrisman,	M. W. Ferguson,	Joshua B. Parks,
Thomas T. Cogar,	Elijah Hogan,	E. A. Pearson,
Asbury Dawson,	Elijah Hurst,	Henry H. Skiles—15.

And thereupon, leave was given to Mr. McKenzie to bring in a bill to repeal an act, entitled

An act for the benefit of E. Kirby Smith.

Ordered, That a select committee, consisting of Messrs. McKenzie, Hindman, Hardin, Cantrill, Barret, and Glass, prepare and bring in the same.

Mr. Price moved the following resolution, which, being twice read, was adopted, viz:

Resolved, That the use of this Hall be tendered to the Democratic party on the 3d of May next, for the purpose of holding a State Convention.

Mr. Glass moved the following joint resolution, viz:

WHEREAS, It is evident that the most important business of the House cannot be transacted within the time fixed by final adjournment, the 22d inst.; therefore,

Resolved by the General Assembly of the Commonwealth of Kentucky, That the General Assembly will close its session on Tuesday, the 28th inst.

Which lies on the table one day.

Mr. Richart moved the following joint resolution, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That the joint resolution, fixing the 22d inst. as the day for a final adjournment of this General Assembly, be, and the same is hereby, rescinded; and that when the General Assembly adjourns on Wednesday, the 29th inst., it adjourn *sine die*.

Mr. Barret, from the Committee on the Judiciary, to whom was referred a bill from the Senate, entitled

An act to amend an act, entitled "An act to authorize the city of Newport to supply itself and others with pure water, and to establish water-works," approved January 26, 1871,

Reported the same without amendment, and without the expression of opinion thereon.

Ordered, That said bill be read a third time.

Said bill was read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That for the purpose of facilitating the construction, completion, and extension of the water-works authorized to be constructed by said act, approved January 26th, 1871, whenever, at any time, before the completion of said water-works, and the furnishing of water to the citizens of Newport, or thereafter, in the opinion of the city council of the city of Newport, it shall be deemed to be the interest of said city to sell, convey, and dispose of the same, or any part thereof, not including, under any circumstances, the supply, main, and distributing pipes connected with said works, used to supply said city of Newport with water, to any individuals, trustees, or corporations, either in or out of the State, they are hereby authorized to do so: *Provided*, That in case of any such sale, transfer, or conveyance, provision is made, by contract, for the proper and full

supply of the city of Newport with water pure for all purposes, said contract shall be based upon an equitable *pro rata* cost of pumping, storing, and supplying the same to the distributing pipes, and shall not exceed the maximum price at which said supply of water shall be furnished by the purchasing party to the city council or board of water-works trustees of the city of Newport of five cents per one thousand gallons of water; and no charge, howsoever, shall be made for water used for extinguishing fires, the supply of the public buildings, or other public use: *And provided further*, Such sale or transfer shall in nowise convey from the city council of the city of Newport, or the board of water-works trustees, in the beforementioned act authorized to be elected, the control or regulation of the rates or charges for water, to consumers thereof, in the city of Newport; neither shall the rates or charges for water to consumers in said city, in case of such sale, ever be higher than is now charged by the water-works board of Cincinnati, or may hereafter be charged, for similar service of water to citizens or consumers of water in the city of Cincinnati, or other city that may purchase said works and be supplied with water therefrom. The price contracted to be paid for said water-works, or any portion of the same, shall not be less than their actual cost, or the cost of such portion; and the sum received be applied to the liquidation of the debt authorized to be created by said act. The rights, powers, and immunities conferred on the city council of Newport by said act, to acquire, construct, and operate said water-works and appurtenances, except as to condemning lands, issuing bonds in the name of the city of Newport, levying a tax on the property of the citizens of the city of Newport; also to control, manage, and extend the supply and distributing pipes; to manage the water-works fund of the city of Newport; and fixing and regulating the rates of charges for the supply of water to the citizens and consumers of water of the city of Newport, and such other powers as are inherent to the proper management and control of the above, and which are hereby expressly reserved to said city council or board of water-works trustees of the city of Newport, shall, in case of such sale, transfer, or conveyance, provided for in this amendment, inure to, and be conferred upon, the purchaser in like manner, and as fully as they are by said act conferred upon said city.

§ 2. Upon the completion of the construction of the aqueduct and bridge across the Ohio river, authorized to be constructed by the above cited act, it shall be lawful to collect tolls for traffic across the same; the said tolls shall be for similar traffic, the same, or no more, than is now allowed by law to be charged by the Newport and Cincinnati Bridge Company for traffic across their bridge.

§ 3. This act shall take effect from and after its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Barret and Adair, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Bunch),	M. W. Ferguson,	William J. McElroy,
Silas Adams,	James P. Ford,	George R. McKee,
George W. Anderson,	W. W. Frazer,	James A. McKenzie,
Ervin Anderson,	John N. Furber,	Thomas H. Moss,
Robert C. Beauchamp,	Samuel G. Geisler,	Edward Myall,
D. M. Bowen,	Robert T. Glass,	Joshua B. Parks,
Orlando C. Bowles,	Clinton Griffith,	E. A. Pearson,
Samuel W. Brents,	D. Hambleton,	Douglass L. Price,
Jesse D. Bright,	Ashton P. Harcourt,	G. W. Quick,
Wm. B. Caldwell,	J. R. Hindman,	Wm. S. Richart,
James E. Cantrill,	Elijah Hogan,	Robert Simmons,
J. S. Chrisman,	R. E. Humphrey,	Richard M. Spalding,
F. R. Davis,	Alfred M. Jones,	J. L. Waring,
J. C. DeMoss,	John W. Kendall,	W. J. Webb,
George R. Diamond,	Francis M. Lowe,	A. D. Weller,
N. C. Dille,	G. W. Little,	L. Wilson,
D. E. Downing,	J. J. McAfee,	John Wolf—52.
John Duvall,		

Those who voted in the negative, were—

William Adair,	Asbury Dawson,	Alfred T. Pope,
Wm. F. Barret,	Ben. Hardin,	Henry H. Skiles,
Thomas T. Cogar,	Wm. Irwin, sr.,	John F. Wight—9.

Resolved, That the title of said bill be as aforesaid.

Mr. Bright moved to reconsider the vote by which the House disagreed to a bill from the Senate, entitled

An act to print sheriffs and master commissioners' advertisements of land sales in Carroll county, in paper printed in said county.

And the question being taken thereon, it was decided in the affirmative.

And so said vote was reconsidered.

Ordered, That said bill be read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

A message was received from the Senate, announcing that they had passed a bill, which originated in the House of Representatives, entitled

An act to incorporate the Hebrew Adath Israel Congregation of the city of Owensboro.

With an amendment thereto.

Said amendment was concurred in.

Mr. Barret, from the Committee on the Judiciary, to whom were referred a bill from the Senate, entitled

An act for the benefit of Mrs. Thos. J. Fisher and her daughter, Mrs. Mollie Gray,

Reported the same without amendment, and with the expression of opinion that said bill ought not to pass.

Mr. Price moved an amendment to said bill, which was rejected.

The question was then taken, "Shall the bill be read a third time, the opinion of the committee to the contrary notwithstanding?" and it was decided in the negative.

And so said bill was disagreed to.

A message was received from the Senate, announcing that they had passed bills, which originated in the House of Representatives, of the following titles, viz:

An act for the benefit of school district No. 34, in Kenton county.

An act for the benefit of M. H. Bronaugh, of Christain county.

An act to prohibit the sale of spirituous, vinous, or malt liquors in the town of Middleburg, in Casey county.

An act to prevent the sale of spirituous liquors in Bewleyville on the Sabbath day.

An act to amend an act, entitled "An act to amend the charter of the Louisville and Salt River Turnpike Road Company," approved February 17, 1871.

An act to relieve the directors and officers of the Louisville Water-works Company from service as grand and petit jurors in the county of Jefferson.

An act for the benefit of William Quillin, of Letcher county.

An act authorizing sheriffs, administrators, &c., of Simpson county, to give notice of sales as such in the newspaper published in said county.

An act to amend an act, entitled "An act incorporating the town of Lawrenceburg."

An act for the benefit of the jailer of Jefferson county.

An act to amend an act incorporating Lagrange and Shelbyville Turnpike Road Company.

An act to amend an act to incorporate the Kentucky River Turnpike Road Company.

An act to amend the charter of the New Castle and Kentucky River Turnpike Road Company.

An act to incorporate the Rough and Ready and Camdensville Turnpike Road Company.

An act to authorize the county court of Henry county to publish its proceedings in the county paper.

And that they had passed a bill, entitled

An act to amend the charter of the South Kentucky Fair Ground Association.

Which was read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be referred to the Committee on Corporate Institutions.

The House took up the amendment proposed by the Senate to a bill which originated in the House of Representatives, entitled

An act to incorporate the Wayne County Agricultural and Mechanical Society.

Said amendment was concurred in.

A message was received from the Governor by Mr. Samuels, Assistant Secretary of State, announcing that he had approved and signed enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to amend an act, entitled "An act to incorporate the Bowling Green Manufacturing Company."

An act for the benefit of Knox county.

An act for the benefit of A. C. Kincheloe, of Spencer county.

An act to amend the charter of the Pleasant Hill and Jessamine County Turnpike Road Company.

An act to incorporate the Henderson Fence Company.

An act to incorporate the Little Benson and Lane's Mill Turnpike Road Company.

An act to amend an act, entitled "An act to incorporate the Farmers' Turnpike Road Company," approved March 3d, 1851.

An act to charter the Middleburg, Knob Lick, and Trace Fork Turnpike Road Company.

An act to incorporate the Sligo and Pendleton Station Turnpike Road Company.

An act to incorporate the Farmers' and Traders' Bank of Shelbyville.

An act to amend an act, entitled "An act to incorporate the Webster Coal Company," approved March 9, 1867.

An act to amend an act, entitled "An act to incorporate the Eagle Petroleum and Mineral Company."

An act to authorize the Pendleton county court to borrow money for certain purposes.

An act to incorporate the New Castle and Sulphur Turnpike Road Company.

An act to amend an act, entitled "An act to incorporate the Kentucky Central Railroad Company."

An act concerning the First Presbyterian Church of Shelbyville, to legalize a division of the property of said church, and to incorporate the divided parties in said church.

An act for the benefit of J. W. Hazelrigg and the heirs of E. E. Duke, deceased.

An act to amend an act, entitled "An act for the benefit of the county of Fleming," approved February 17th, 1871.

An act for the benefit of S. B. Huey, of Boone county.

An act to change the time of holding the county and quarterly courts of Fulton county.

An act to allow the county court of Oldham county to issue bonds for turnpike road purposes.

An act to amend an act, entitled "An act to designate the holidays to be observed in the acceptance and payment of bills of exchange, &c.," approved February 7th, 1868.

The House took up from the orders of the day, and proceeded with the consideration of a bill, entitled

A bill to provide for licensing engineers of machinery run by steam within the county of Jefferson and the city of Louisville.

Mr. Pearson moved an amendment to said bill.

Mr. Caldwell then moved to lay said bill and proposed amendment on the table.

The question being taken thereon, it was decided in the negative.

The amendment moved by Mr. Pearson was then adopted.

Ordered, That said bill, as amended, be engrossed and read a third time.

Said bill, as amended, being engrossed, was then read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the judge of the county court of Jefferson county shall appoint three persons of good moral character, and well qualified, from knowledge and experience, in the duties of engineer of machinery run by steam, who shall examine into the qualifications of all persons applying for license to perform the duties of engineer, and grant a certificate and license to such as may be qualified. They shall hold their office four years, and one of them shall be styled supervisor of engineers, and the others assistant supervisors; and, before entering upon the duties of their office, shall execute in the county court, with good surety, a bond conditioned for the faithful performance of their duties, and shall take an oath faithfully and impartially to discharge their duties.

§ 2. Whenever any person claiming to be qualified to perform the duties of engineer of machinery run by steam shall apply for a certificate and license, the supervisor shall examine the applicant and the proofs which he produces in support of his claim; and if, upon full consideration, he is satisfied that his character, habits of life, knowledge, and experience in the duties of engineer, are all such as to authorize the belief that the applicant is a safe and suitable person to manage machinery run by steam, he shall give the applicant a certificate, which shall be a license to act as engineer for one year from its date, unless sooner revoked. If the supervisor refuses a certificate, it shall be his duty, if the applicant requests it, to have a re-examination by the supervisor and the assistant supervisors, and the concurrence of any two of the board shall decide the case. The certificate may be renewed each year, unless, for good cause shown, the person applying may be disqualified.

§ 3. The supervisor and assistants shall have power, after reasonable notice and full inquiry, to revoke any license whenever it appears that the holder is not a safe and prudent engineer of machinery run by steam.

§ 4. Persons receiving certificates shall pay ten dollars therefor, and five dollars for each renewal. The money received shall be paid in the proportion and rate of $1,000 per annum to the supervisor, and $200 each to the assistants, said compensation to come out of the fees provided for in this section. Said money shall be received and disbursed by the supervisor; and for all honest and faithful disbursements he shall be liable on his bond.

§ 5. It shall be unlawful for any person or corporation to employ an engineer of machinery run by steam who is not licensed by the supervisor, as provided in the second section of this act; and any person or corporation so offending shall be fined not less than ten nor more than one hundred dollars for each day he may so offend: *Provided*, The penalties of this act shall not apply to any person who acts as the engineer of his own machinery under a permit from the supervisor.

§ 6. It shall be the duty of the supervisor to keep a record of his acts and proceedings, and the acts and proceedings of the board, and also a register of all certificates issued.

§ 7. In the event of the sickness or other disability of the supervisor, one of the assistants, to be designated by the judge of the county court by an order entered upon the records of the said court, shall, during such disability, perform the duties of supervisor. When a vacancy occurs from death, resignation, or otherwise, in the office of supervisor or assistants, it shall be filled by appointment of said court.

§ 8. In any action for damages for an injury resulting from the explosion of a steam boiler, the fact that the person at the time in charge of the same was not licensed, as provided in this act, shall be *prima facie* evidence of willful neglect, either against the engineer or the owner or controller of the building or machinery.

§ 9. This act shall apply alone to the city of Louisville, and shall be in force from its passage: *Provided*, That no person shall be liable to its penalties until after July 1, 1871.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. G. W. Anderson and Caldwell, were as follows, viz:

Those who voted in the affirmative, were—

Silas Adams,	John N. Furber,	E. A. Pearson,
Ervin Anderson,	Robert T. Glass,	W. V. Prather,
D. M. Bowen,	Clinton Griffith,	Douglass L. Price,
Samuel W. Brents,	Ashton P. Harcourt,	G. W. Quick,
E. Burr,	Jas. R. Hindman,	Wm. S. Richart,
James E. Cantrill,	R. E. Humphrey,	P. M. Thurmond,
Thomas T. Cogar,	G. W. Little,	W. J. Webb,
N. C. Dille,	J. J. McAfee,	John F. Wight,
H. G. Duerson,	Geo. R. McKee,	L. Wilson,
John Duvall,	James A. McKenzie,	John Wolf—32.
James P. Ford,	Joshua B. Parks,	

Those who voted in the negative, were—

Mr. SPEAKER (Bunch),	F. R. Davis,	William Irwin, sr.,
William Adair,	Asbury Dawson,	William J. McElroy,
George W. Anderson,	D. E. Downing,	Edward Myall,
Wm. F. Barret,	M. W. Ferguson,	Robert Simmons,
R. C. Beauchamp,	W. W. Frazer,	Henry H. Skiles,
Orlando C. Bowles,	D. Hambleton,	J. L. Waring,
William B. Caldwell,	Elijah Hogan,	A. D. Weller—22.
R. L. Cooper,		

Resolved, That the title thereof be so changed as to strike therefrom the words "county of Jefferson."

Mr. Brents then moved to reconsider the vote by which said bill was passed.

Mr. McKee moved to lay the motion of Mr. Brents on the table.

And the question being taken on the motion of Mr. McKee, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. G. W. Anderson and Ferguson, were as follows, viz:

Those who voted in the affirmative, were—

Silas Adams,	Clinton Griffith,	E. A. Pearson,
Ervin Anderson,	Ashton P. Harcourt,	W. V. Prather,
James E. Cantrill,	James R. Hindman,	Douglass L. Price,
J. S. Chrisman,	Elijah Hogan,	William S. Richart,
Thomas T. Cogar,	Francis M. Lowe,	W. J. Webb,
F. R. Davis,	G. W. Little,	A. D. Weller,
N. C. Dille,	J. J. McAfee,	John F. Wight,
H. G. Duerson,	George R. McKee,	L. Wilson,
John Duvall,	James A. McKenzie,	John Wolf—29.
John N. Furber,	T. E. Moss,	

Those who voted in the negative, were—

Mr. SPEAKER (Bunch),	William B. Caldwell,	R. E. Humphrey,
William Adair,	R. L. Cooper,	Wm Irwin, sr.,
Geo. W. Anderson,	Asbury Dawson,	Wm. J. McElroy,
William F. Barret,	D. E. Downing,	Edward Myall,
Robert C. Beauchamp,	M. W. Ferguson,	Joshua B. Parks,
D. M. Bowen,	James P. Ford,	G. W. Quick,
Orlando C. Bowles,	W. W. Frazer,	Robert Simmons,
Samuel W. Brents,	Robert T. Glass,	Henry H. Skiles,
E. Burr,	D. Hambleton,	J. L. Waring—27.

And so the motion to reconsider was laid on the table.

At this hour, Mr. Cantrill moved to suspend the rule and extend the session until the completion of the call of the counties.

And the question being taken on said motion, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. G. W. Anderson and E. Anderson, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Bunch),	N. C. Dille,	George R. McKee,
William Adair,	D. E. Downing,	James A. McKenzie,
Silas Adams,	H. G. Duerson,	Edward Myall,
Wm. F. Barret,	John Duvall,	E. A. Pearson,
Robt. C. Beauchamp,	James P. Ford,	Alfred T. Pope,
D. M. Bowen,	W. W. Frazer,	W. V. Prather,
Samuel W. Brents,	John N. Furber,	Douglass L. Price,
E. Burr,	Clinton Griffith,	G. W. Quick,
James E. Cantrill,	D. Hambleton,	William S. Richart,
Landon Carter,	Ashton P. Harcourt,	Robert Simmons,
J. S. Chrisman,	James R. Hindman,	Henry H. Skiles,
Thomas T. Cogar,	Elijah Hogan,	J. L. Waring,
R. L. Cooper,	R. E. Humphrey,	W. J. Webb,
F. R. Davis,	Francis M. Lowe,	John F. Wight,
Asbury Dawson,	J. J. McAfee,	L. Wilson,
J. C. DeMoss,	William J. McElroy,	John Wolf—48.

Those who voted in the negative, were—

G. W. Anderson, Robert T. Glass, P. M. Thurmond—5.
Ervin Anderson, William Irwin, sr.,

Mr. McKenzie, from the Committee on Railroads, to whom was referred a bill from the Senate, entitled

An act for the benefit of Mercer county,

Reported the same without amendment.

Ordered, That said bill be read a third time.

Mr. McAfee then moved to dispense with the third reading of said bill, but no quorum voting thereon, said motion was placed in the orders of the day.

The yeas and nays being required thereon by Messrs. McKee and Barret, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Bunch),	James P. Ford,	Joshua B. Parks,
William Adair,	John N. Furber,	Alfred T. Pope,
Ervin Anderson,	Robert T. Glass,	W. V. Prather,
D. M. Bowen,	Clinton Griffith,	Douglass L. Price,
William B. Caldwell,	D. Hambleton,	William S. Richart,
James E. Cantrill,	Ashton P. Harcourt,	Robert Simmons,
Landon Carter,	R. E. Humphrey,	P. M. Thurmond,
Thomas T. Cogar,	G. W. Little,	J. L. Waring,
R. L. Cooper,	J. J. McAfee,	A. D. Weller,
J. C. DeMoss,	James A. McKenzie,	L. Wilson—32.
H. G. Duerson,	Edward Myall,	

Those who voted in the negative, were—

W. F. Barret,	D. E. Downing,	Thomas H. Moss,
Robert C. Beauchamp,	W. W. Frazer,	G. W. Quick,
Samuel W. Brents,	James R. Hindman,	Henry H. Skiles,
E. Burr,	William Irwin, sr.,	W. J. Webb,
Asbury Dawson,	William J. McElroy,	John Wolf—17.
N. C. Dille,	George R. McKee,	

The House then took up from the orders of the day a bill, entitled

A bill for the benefit of H. W. Conway, of Nicholas county.

Ordered, That said bill be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Spalding, from the Committee on the Sinking Fund, who originated the same, reported

A bill to provide for, and to require an examination of, the Auditor's and Treasurer's Offices of this Commonwealth.

Which was read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

The further consideration of said bill was postponed to, and made the special order of the day for, to-morrow, at 10 o'clock, A. M.

Mr. Bowles, from the Committee on Enrollments, reported that the committee had examined enrolled bills and a resolution, which originated in the Senate, of the following titles, viz:

An act to amend the law in relation to county judges, approved February 13, 1858;

An act for the benefit of the personal representatives of Robert Foster, deceased;

An act to amend the charter of the Kentucky Masonic Mutual Life Insurance Company;

An act to amend the charter of the New Castle and Carrollton Turnpike Road, approved February 4, 1858;

An act in relation to examining courts;

An act to amend an act, entitled "An act to authorize the city of Newport to supply itself and others with pure water, and to establish water works," approved January 26, 1871;

An act to amend an act, entitled "An act in relation to the sale of spirituous, vinous, or malt liquors in Logan county," approved March 12, 1870;

Resolution of thanks to the Democracy of New Hampshire for the victory won in their recent State elections, and congratulating the country in consideration thereof;

And also enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to repeal an act, entitled "An act to prohibit the sale of spirituous, vinous, or malt liquors in the town of Calhoon, or within two miles thereof," approved March 21, 1870;

An act to mark and define the boundary line between the counties of Muhlenburg and McLean;

An act to authorize the Anderson county court to levy a tax to build bridges, and for other purposes;

An act to incorporate the Frenchburg and Owingsville Turnpike Road Company;

An act authorizing the county court of Spencer county to levy a tax in aid of turnpikes;

An act to regulate the sale of liquors in the town of Canmer, Hart county, and within one mile thereof;

An act to amend the charter of the town of Brooksville, in Bracken county

An act for the benefit of Benjamin D. Beall, clerk of the Campbell circuit court;

An act to amend the charter of the Big Sandy Navigation and Improvement Company;

An act for the benefit of Martin Rice, of Hopkins county;

An act to amend the charter of the Licking and Big Sandy Railroad Company;

An act to secure the execution of the penal laws of the State in the counties of Clinton, Cumberland, and Monroe;

An act for the benefit of Shadrach Combs, sheriff of Letcher county, and his sureties, for the year 1869;

An act to increase the county levy of Cumberland county for county purposes;

An act to authorize the election of town officers for Mackville, Washington county;

An act to incorporate the town of Morses, in Graves county;

An act to amend the charter of the Beargrass Transportation Company;

An act to amend an act, entitled "An act to incorporate the Central Passenger Railroad Company of the city of Louisville;"

An act to amend the charter of the city of Louisville;

An act to authorize the county court of Scott county to borrow money to build a jail;

An act to amend an act, entitled "An act to charter the Owensboro and Russellville Railroad Company," approved February 27, 1867;

An act for the benefit of Joel W. Sallee;

An act providing for comparing the polls for the election of Representatives to the General Assembly in the counties of Breathitt, Wolfe and Powell;

An act to except Clark county from the provisions of an act, entitled "An act in relation to submitting questions of taxation to a vote of the people;"

An act for the benefit of A. W. Nickell, sheriff of Johnson county, and his sureties, for the year 1867;

An act to amend an act, entitled "An act for the benefit of late clerks, sheriffs, late jailers, and other civil officers of this Commonwealth having uncollected fee bills;"

An act to incorporate the Kentucky Baptist Historical Society;

An act incorporating College Street Presbyterian Church of Louisville;

An act to amend the charter of the Elizabethtown and Paducah Railroad Company, approved March 5, 1867;

An act to extend the corporate limits of the town of Hazelgreen, in Wolfe county;

An act to authorize the trustees of the town of Cloverport to sell and convey parts of certain streets;

An act for the benefit of the levy court of Henry county;

An act to provide for the collection of railroad tax in Montgomery county;

An act to authorize Thos. B. McGowan, jailer of Fayette county, to appoint a deputy jailer;

An act to amend the charter of the town of New Castle, Henry county;

An act to amend the charter of the town of Millersburg, in Bourbon county;

An act for the benefit of the judges of the Todd and Harrison county and quarterly courts;

An act to amend an act, entitled "An act to amend chapter 84 of the Revised Statutes, title 'Roads and Passways,'" approved February 20, 1869;

An act to amend section 1, chapter 99, of the Revised Statutes;

An act concerning the pay of the officers of the Court of Appeals;

And had found the same truly enrolled.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Bowles inform the Senate thereof.

And then the House adjourned.

WEDNESDAY, MARCH 22, 1871.

A message was received from the Senate, announcing that they had received official information that the Governor had approved and signed enrolled bills, which originated in the Senate, of the following titles, viz:

An act to establish a chancery court for the counties of Campbell, Kenton, Bracken, and Pendleton.

An act for the benefit of Murray common school district, in Calloway county.

That they had concurred in the amendments proposed by the House to a bill, which originated in the Senate, entitled

An act to provide for the settlement of the accounts of Jordan Clark and Thomas P. Smith, late receiver of the Louisville Chancery Court.

That they had disagreed to bills, which originated in the House of Representatives, of the following titles, viz:

An act to appropriate money and provide for the erection of an additional building at the Eastern Lunatic Asylum.

An act to re-enact an act, entitled "An act to amend article 3, chapter 86, Revised Statutes," approved February 17, 1866.

An act to provide for licensing engineers of machinery run by steam in the city of Louisville.

An act to amend the charter of the city of Covington.

An act to amend an act, entitled "An act to revise, amend, and reduce into one the laws relative to the common schools of Kentucky."

That they had passed bills which originated in the House of Representatives, of the following titles, viz:

An act to change the time of payment of the revenue into the State Treasury, and to amend the revenue laws.

An act for the benefit of school district No. 7, of Henry county.

An act for the benefit of H. W. Conway, of Nicholas county.

An act to repeal the act creating Urania school district, in Barren county.

An act to amend an act, entitled "An act to incorporate the Louisville and Chattanooga Grand Trunk Railroad."

And that they had passed bills of the following titles, viz:

1. An act supplemental to an act approved March 14, 1871, entitled "An act amending an act, entitled 'An act incorporating the Bardstown and Bloomfield Turnpike Road Company.'"

2. An act to amend an act, entitled "An act to incorporate the Louisville, Memphis, and New Orleans Railway," approved February 20, 1870.

3. An act to amend an act, entitled "An act for the benefit of the town of Tompkinsville, in Monroe county."

4. An act to amend an act, entitled "An act to facilitate the finding of records in the Warren circuit court," approved February 25, 1870.

The rule being suspended requiring their reference to a committee, said bills were taken up and read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

A message was received from the Senate, announcing that they had passed bills of the following titles, viz:

1. An act concerning the revenue and sinking fund.

2. An act to provide for the payment of the State debt.

Which were read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be placed in the orders of the day.

A message was received from the Senate, announcing that they had passed bills, which originated in the House of Representatives, of the following titles, viz:

An act to prevent the selling of spirituous, vinous, or malt liquors in Germantown district, No. 4, in Clark county.

An act to amend chapter 83, Revised Statutes, title "Revenue and Taxation."

With amendments to each of said bills.

Mr. Brents moved the following joint resolution, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That the joint resolution heretofore adopted, adjourning this General

Assembly *sine die* on the 22d March, 1871, be, and the same is hereby, rescinded; and that this General Assembly will adjourn *sine die* on the 23d day of March, 1871, and that no bills shall be passed by either House after 5 o'clock, P. M., on that day.

The rule being suspended, the said resolution was taken up, twice read, and adopted.

Said resolution being communicated to the Senate, after a time, a message was received therefrom, announcing that they had concurred in the adoption of said resolution.

The House took up from the orders of the day a bill from the Senate, entitled

An act concerning the revenue and sinking fund.

Ordered, That said bill be read a third time.

Said bill was then read a third time as follows, viz:

[*For bill—see Session Acts* 1871.]

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. T. E. Moss and Adams, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Bunch),	D. E. Downing,	George R. McKee,
George W. Anderson,	M. W. Ferguson,	James A. McKenzie,
Wm. F. Barret,	James P. Ford,	Thomas H. Moss,
Rob't C. Beauchamp,	John N. Furber,	Joshua B. Parks,
D. M. Bowen,	Robert T. Glass,	Alfred T. Pope,
Orlando C. Bowles,	Clinton Griffith,	W. V. Prather,
Samuel W. Brents,	Ashton P. Harcourt,	Douglass L. Price,
E. Burr,	Elijah Hogan,	William S. Richart,
William B. Caldwell,	R. E. Humphrey,	Henry H. Skiles,
James E. Cantrill,	William Irwin, sr.,	R. M. Spalding,
Thomas T. Cogar,	Alfred M. Jones,	J. L. Waring,
R. L. Cooper,	John W. Kendall,	A. D. Weller,
F. R. Davis,	Francis M. Lowe,	John F. Wight,
George R. Diamond,	Wm. J. McElroy,	John Wolf—42.

Those who voted in the negative, were—

Silas Adams,	Ben. Hardin,	G. W. Quick,
J. S. Chrisman,	James R. Hindman,	P. M. Thurmond,
Asbury Dawson,	Thomas E. Moss,	W. J. Webb,
John Duvall,	Edward Myall,	L. Wilson—13.
D. Hambleton,		

Resolved, That the title of said bill be as aforesaid.

The House took up from the orders of the day a bill from the Senate, entitled

An act to provide for the payment of the State debt.

Mr. Caldwell moved an amendment to said bill, which was rejected.

Ordered, That said bill be read a third time.

Said bill was read a third time as follows, viz:

[*For bill—see Session Acts* 1871.]

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Thurmond and Adams, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Bunch),	H. G. Duerson,	George R. McKee,
George W. Anderson,	M. W. Ferguson,	James A. McKenzie,
Wm. F. Barret,	James P. Ford,	Thomas H. Moss,
Rob't C. Beauchamp,	John N. Furber,	Edward Myall,
D. M. Bowen,	Robert T. Glass,	Joshua B. Parks,
Orlando C. Bowles,	Ashton P. Harcourt,	E. A. Pearson,
Samuel W. Brents,	Ben. Hardin,	Alfred T. Pope,
William B. Caldwell,	Elijah Hogan,	Douglass L. Price,
James E. Cantrill,	R. E. Humphrey,	G. W. Quick,
Thomas T. Cogar,	William Irwin, sr.,	William S. Richart,
R. L. Cooper,	George M. Jessee,	Henry H. Skiles,
F. R. Davis,	Alfred M. Jones,	Richard M. Spalding,
Asbury Dawson,	John W. Kendall,	J. L. Waring,
George R. Diamond,	Francis M. Lowe,	A. D. Weller,
D. E. Downing,	William J. McElroy,	John F. Wight—45.

Those who voted in the negative, were—

Silas Adams,	D. Hambleton,	W. J. Webb,
John Duvall,	James R. Hindman,	John Wolf—8.
Clinton Griffith,	P. M. Thurmond,	

Resolved, That the title of said bill be as aforesaid.

The House then took up the several amendments proposed by the Senate to bills, which originated in the House of Representatives, of the following titles, viz:

An act to repeal section 2 of an act to amend the charter of Princeton College.

An act to prevent the selling spirituous, vinous, or malt liquors in Germantown district No. 4, in Clark county.

An act to prevent the sale of spirituous, vinous, or malt liquors in the town of DeMossville, in Pendleton county.

An act to prohibit the sale of spirituous, vinous, or malt liquors within one mile of the Glasgow railroad depot, outside the corporate limits of the town of Glasgow.

Said amendments were severally concurred in.

The House took up the amendment proposed by the Senate to a bill, which originated in the House of Representatives, entitled

An act to prevent the destruction of fish in the South Fork of Licking river and its tributaries.

The question was then taken on concurring in said amendment, and it was decided in the negative.

And so said amendment was disagreed to.

On motion of Mr. Chrisman,

Ordered, That a committee of conference be appointed on the subject of the disagreement of the two Houses on the amendments proposed by the Senate to a bill, which originated in the House of Representatives, entitled

An act to prohibit the carrying of concealed deadly weapons,

And that said committee inform the Senate of their appointment, and request the appointment of a committee on their part.

Ordered, That Messrs. Chrisman, Bowles, and Waring be appointed said committee.

After a time Mr. Chrisman, from the said committee, reported that the Senate had agreed to the appointment of said committee of conference, and that having agreed thereto, recommends that the House do recede from its disagreement to the amendments proposed by the Senate, and concur in the same; which report was adopted by the House.

The House took up a joint resolution from the Senate, entitled

Resolution to print and distribute in pamphlet form the general laws passed at the present session of the General Assembly.

Said resolution, being twice read, was adopted.

Mr. McKenzie moved that a committee be appointed, to act in conjunction with a similar committee to be appointed by the Senate, to wait on the Governor, and to request him to return unsigned a bill, which passed both Houses of the General Assembly, entitled

An act for the benefit of Gen. E. Kirby Smith,

And that said committee wait upon the Senate, inform them of their appointment, and request the appointment of said committee by the Senate.

Mr. Bowen moved to lay said motion on the table.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Jessee and Bowen, were as follows, viz :

Those who voted in the affirmative, were—

D. M. Bowen,	H. G. Duerson,	John W. Kendall,
Orlando C. Bowles,	John Duvall,	Thos. E. Moss,
Samuel W. Brents,	M. W. Ferguson,	Joshua B. Parks,
J. S. Chrisman,	James P. Ford,	E. A. Pearson,
Thomas T. Cogar,	Elijah Hogan,	W. J. Webb—17.
George R. Diamond,	George M. Jessee,	

Those who voted in the negative, were—

Mr. SPEAKER (Bunch),	Robert T. Glass,	Edward Myall,
Silas Adams,	Clinton Griffith,	Alfred T. Pope,
George W. Anderson,	D. Hambleton,	G. W. Quick,
Wm. F. Barret,	Ashton P. Harcourt,	Wm. S. Richart,
R. C. Beauchamp,	Ben. Hardin,	Henry H. Skiles,
E. Burr,	Jas. R. Hindman,	Richard M. Spalding,
William B. Caldwell,	R. E. Humphrey,	P. M. Thurmond,
James E. Cantrill,	William Irwin, sr.,	J. L. Waring,
R. L. Cooper,	Francis M. Lowe,	A. D. Weller,
F. R. Davis,	William J. McElroy,	John F. Wight,
Asbury Dawson,	Geo. R. McKee,	L. Wilson,
D. E. Downing,	James A. McKenzie,	John Wolf—38.
John N. Furber,	Thomas H. Moss,	

The question being taken on the motion of Mr. McKenzie, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Jessee and Bowen, were as follows, viz:

Those who voted in the affirmative, were—

Silas Adams,	Robert T. Glass,	Alfred T. Pope,
Geo. W. Anderson,	Clinton Griffith,	G. W. Quick,
William F. Barret,	D. Hambleton,	William S. Richart,
Robert C. Beauchamp,	Ashton P. Harcourt,	Henry H. Skiles,
E. Burr,	Ben. Hardin,	R. M. Spalding,
William B. Caldwell,	James R. Hindman,	P. M. Thurmond,
James E. Cantrill,	R. E. Humphrey,	J. L. Waring,
R. L. Cooper,	Wm Irwin, sr.,	A. D. Weller,
F. R. Davis,	Wm. J. McElroy,	John F. Wight,
Asbury Dawson,	George R. McKee,	L. Wilson,
D. E. Downing,	James A. McKenzie,	John Wolf—35.
John N. Furber.	Edward Myall,	

Those who voted in the negative, were—

Mr. SPEAKER (Bunch),	M. W. Ferguson,	T. E. Moss,
D. M. Bowen,	James P. Ford,	T. H. Moss,
Samuel W. Brents,	Elijah Hogan,	Joshua B. Parks,
J. S. Chrisman,	George M. Jessee,	E. A. Pearson,
Thomas T. Cogar,	John W. Kendall,	W. J. Webb—17.
John Duvall,	Francis M. Lowe,	

And so the motion of Mr. McKenzie was adopted.

Ordered, That Messrs. McKenzie, Cantrill, and Jessee constitute said committee.

After a time, Mr. McKenzie, from said committee, reported, that having communicated said request, the Senate declined to appoint said committee.

A message was received from the Governor by Mr. Samuels, Assistant Secretary of State, which was taken up and read as follows, viz:

STATE OF KENTUCKY, EXECUTIVE DEPARTMENT,
FRANKFORT, March 22, 1871.

Gentlemen of the House of Representatives:

The bill which originated in your body, entitled "An act to appropriate certain moneys due by the county of Wayne to the public Treasury in aid of the construction of a certain turnpike road," provides "that the unpaid dues from the county of Wayne for revenue and unpaid taxes for the years 1862, 1863, and 1864, which was reserved to be paid into the Treasury by the act of 17th February, 1868, entitled "An act for the benefit of the county of Wayne," shall be appropriated in aid of the building of a turnpike road in Wayne county; and that the State of Kentucky shall be a stockholder in said road to that extent.

Turning to the act of 17th February, 1868, referred to in the bill, I find that by its terms the Legislature gave and appropriated to the county of Wayne all the revenue of said county for the said years 1862, 1863, and 1864, to aid the county in public improvements, "except so much thereof as may be by law, and held to be dedicated to the Sinking Fund and common school fund."

Under the act 4th March, 1843 (Session Acts 1842–3, page 35), five cents to the hundred dollars of taxable property in the State was imposed and directed to be collected "and paid into the Treasury to the credit of the Sinking Fund, to be applied to the principal and interest of the debts now owing by the State of Kentucky, for works of internal improvement."

The Constitution was afterwards framed and adopted by the people of the State, and the 34th section of article 2 thereof provides, "the General Assembly shall have no power to pass laws to diminish the resources of the Sinking Fund, *as now established by law*, until the debt of the State be paid, but may pass laws to increase them." Five cents on each hundred dollars of taxable property in Wayne county, as well as of every other county in the State, was, at the adoption of the Constitution, a "resource of the Sinking Fund, *established by law*," and under that constitutional provision has continued so ever since, and must remain so till the debt of the State be paid. The debt, though greatly reduced, has not yet been paid. If the Legislature has the right to appropriate to turnpiking the Wayne county portion of this resource of the Sinking Fund, it has an equal right to appropriate and give away the portion coming from every other county in the State, and the same right to legislate away every

other resource of that fund, and thus leave the payment of the debt unprovided for, and defeat entirely that provision of the Constitution. I do not think any such power exists; and the bill being in conflict with this view of the question, I must withhold my assent thereto.

Respectfully,

P. H. LESLIE.

The bill so returned by the Governor reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the person or officer appointed, or to be appointed, by the Auditor of Public Accounts, to collect and receive the unpaid dues from the county of Wayne, for revenue and unpaid taxes, for the years 1862, 1863, and 1864, and which was reserved to be paid into the Treasury by the act approved February 17th, 1868, entitled "An act for the benefit of the county of Wayne," be, and he is hereby, required to pay over such sums as he may collect, and when collected, as the board of directors of the Monticello and Cumberland River Turnpike Company may direct.

§ 2. That the money thus paid over to said company shall be applied and appropriated, less the fees and commissions which may be allowed to the collector for his services in collecting same, in aid of the construction of the turnpike road aforesaid.

§ 3. The amount of money paid under this act to the order of the board of directors, as aforesaid, shall be deemed and held as so much subscribed by the State to the capital stock of said company, and to the extent of the sum so paid in the State shall be deemed a stockholder, and shall have the right to vote in the organization, management, and control of said road to the extent that individual subscribers may do, and to the extent of the capital stock so paid in.

§ 4. The Auditor of Public Accounts may, by himself or such person as he may appoint, represent the State in all matters pertaining to the organization, construction, and management of said road, and in the disposition of the funds and means thereof.

§ 5. This act shall take effect from its passage.

The question was then taken, "Shall the bill pass, the objections of the Governor to the contrary notwithstanding?" and it was decided in the negative.

The yeas and nays being required thereon, in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Silas Adams,	Thomas T. Cogar,	James P. Ford,
J. S. Chrisman,	H. G. Duerson,	Douglass L. Price—6.

Those who voted in the negative, were—

Mr. SPEAKER (Bunch),	M. W. Ferguson,	Thomas H. Moss,
George W. Anderson,	John N. Furber,	Edward Myall,
Wm. F. Barret,	R. T. Glass,	Joshua B. Parks,
R. C. Beauchamp,	Clinton Griffith,	Alfred T. Pope,
D. M. Bowen,	Ashton P. Harcourt,	G. W. Quick,
Orlando C. Bowles,	Ben. Hardin,	William S. Richart,

Samuel W. Brents,	James R. Hindman,	Henry H. Skiles,
E. Burr,	Elijah Hogan,	R. M. Spalding,
William B. Caldwell,	R. E. Humphrey,	P. M. Thurmond,
James E. Cantrill,	Wm. Irwin, sr.,	J. L. Waring,
R. L. Cooper,	John W. Kendall,	W. J. Webb,
F. R. Davis,	Francis M. Lowe,	A. D. Weller,
Asbury Dawson,	Wm. J. McElroy,	John F. Wight,
Geo. R. Diamond,	George R. McKee,	L. Wilson,
D. E. Downing,	James A. McKenzie,	John Wolf—47.
John Duvall,	Thomas E. Moss,	

And so said bill was rejected.

Mr. Hardin moved to reconsider the vote by which this House disagreed to a bill from the Senate, entitled

An act for the benefit of the sheriff of Jefferson county.

Bills from the Senate were reported, without amendment, by the committees to whom they had been referred, of the following titles, viz:

By Mr. Cogar, from the Committee on Internal Improvement—

An act to amend an act, entitled "An act to amend an act to allow the citizens of Henry county to vote a tax in aid of turnpike companies of said county."

By Mr. McKee, from the Committee on Revised Statutes—

An act to further define the duties of clerks of circuit, chancery, and county courts of this Commonwealth.

By Mr. Harcourt, from the Committee on Codes of Practice—

An act to amend subsection 1 of section 614, title 13, article 2, of the Civil Code of Practice.

By Mr. McKenzie, from the Committee on Railroads—

An act to amend the charter of the Elizabethtown and Tennessee Railroad Company.

By Mr. Price, from the Committee on Charitable Institutions—

An act to amend an act, entitled "An act to establish a State House of Reform for Juvenile Delinquents," approved February 15, 1869.

By Mr. McKenzie, from the Committee on Railroads—

An act to incorporate the Shawneetown, Morganfield, and Sebree Railroad Company.

Ordered, That said bills be read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Bills from the Senate were reported, without amendment, by the committees to whom they had been referred, of the following titles, viz:

By Mr. Cantrill, from the Committee on Codes of Practice—

An act to repeal an act, entitled "An act to amend section 614 of the Civil Code of Practice, in regard to depositions," approved January 14, 1858.

By Mr. McKenzie, from the Committee on Railroads—

An act to amend the sixth section of an act, entitled "An act to amend the charters of the Louisville and Frankfort and Lexington and Frankfort Railroad Companies," approved January 19, 1867.

By same—

An act to regulate the running time of the Louisville and Nashville Railroad through the limits of the towns of Elizabethtown, Bowling Green, and Franklin.

The question was then taken on ordering said bills to be read a third time, and it was decided in the negative.

And so said bills were disagreed to.

Mr. McKenzie, from the Committee on Railroads, to whom were referred a bill from the Senate, entitled

An act to incorporate the Kentucky and Southern Railroad Company,

Reported the same with amendments thereto, which were adopted.

Ordered, That said bill, as amended, be read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. McKenzie, from the Committee on Railroads, who were directed to prepare and bring in the same, reported

A bill to incorporate the Paris, Georgetown, and Frankfort Railroad Company.

Which was read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

A message was received from the Senate, announcing that they had passed a bill, which originated in the House of Representatives, of the following title, viz:

An act to incorporate the Paris, Georgetown, and Frankfort Railroad Company.

And that they had passed bills of the following titles, viz:

An act for the benefit of Mrs. Matilda Taylor, of Boyle county.

An act to amend an act for the benefit of McCracken county, and to enable her to pay her indebtedness, approved February 17th, 1871.

An act to require the Secretary of State to report pardons and remission of fines and forfeitures to the General Assembly.

Which were read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

Said bills were placed in the orders of the day.

Mr. Skiles read and laid on the table the following joint resolution, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That that portion of the joint resolution providing that no new business be introduced in this House after five o'clock, P. M., be rescinded, and that no new business be introduced after six o'clock, P. M.

Mr. Skiles moved to suspend the rules and take up said resolution; but no quorum voting, said resolution was placed in the orders of the day.

A message was received from the Senate, announcing that they had passed bills, which originated in this House, of the following titles, viz:

An act to prohibit the sale of spirituous or vinous liquors in the town of Warsaw, and within four miles thereof, in Gallatin county.

An act to incorporate the Broadway and Dunkirk Railway Company.

An act to amend an act, entitled "An act to incorporate the Louisville, Harrod's Creek, and Westport Railway Company."

An act establishing the Orphans' School of Daughters' College.

An act for the benefit of school district No. 49, in Monroe county.

An act for the benefit of W. H. Stanley.

An act to incorporate the Leesburg and Clay's Cross-roads Turnpike Company.

An act to amend an act to incorporate the Lancaster, Fall Lick and Mount Vernon Turnpike Company.

An act for the benefit of Washington county.

An act to authorize the Elliott county court to issue bonds to raise a fund for the erection of the public buildings of said county.

An act to legalize certain acts of the Pendleton county court.

An act authorizing the county court of Washington county to construct a bridge across the Little Beech in said county, and to provide for the payment of same.

An act to amend an act, entitled "An act to amend an act to authorize the Pendleton county court to raise money to build bridges, &c."

An act to authorize the condemnation of land for cemetery purposes in Pendleton county.

An act to incorporate the Kentucky River Salt Manufacturing Company, in Perry county.

An act authorizing the judge of the Spencer county court to appoint trustees for the town of Taylorsville, when vacancies occur.

An act for the benefit of Nelson Whitaker, of Mason county.

An act for the benefit of Wm. D. Dye, of Lincoln county.

An act fixing the rate of freight and tolls on the North Middletown and Mount Sterling Turnpike Road.

An act to regulate the sale of liquors in the town of Camner, Hart county, and within one mile thereof.

An act to incorporate the Frenchburg and Owingsville Turnpike Road Company.

An act to authorize the Anderson county court to levy a tax to build bridges, and for other purposes.

An act to amend the charter of the city of Louisville.

An act to amend the charter of the Licking and Big Sandy Railroad Company.

An act to authorize the county court of Scott county to borrow money to build a jail.

An act to amend an act, entitled "An act to charter the Owensboro and Russellville Railroad Company," approved February 27th, 1867.

An act to increase the county levy of Cumberland county for county purposes.

An act for the benefit of Shadrach Combs, sheriff of Letcher county, and his sureties, for the year 1869.

An act to authorize the election of town officers for Mackville, Washington county.

An act to amend an act, entitled "An act to incorporate the Central Passenger Railroad Company, of the city of Louisville."

An act incorporating College Street Presbyterian Church of Louisville.

An act to amend section 1, chapter 99, of the Revised Statutes.

An act to except Clark county from the provisions of an act entitled "An act in relation to submitting questions of taxation to a vote of the people."

An act providing for comparing the polls for the election of Representatives to the General Assembly in the counties of Breathit Wolfe, and Powell.

An act to authorize the trustees of the town of Cloverport to sell and convey parts of certain streets.

An act to amend the charter of the Elizabethtown and Paducah Railroad Company, approved March 5th, 1867.

An act to extend the corporate limits of the town of Hazelgreen, in Wolfe county.

An act to amend the charter of the town of New Castle, Henry county.

An act to provide for the collection of railroad tax in Montgomery county.

An act to amend an act, entitled "An act for the benefit of late clerks, sheriffs, late jailers, and other civil officers of this Commonwealth having uncollected fee bills.

An act concerning the pay of the officers of the Court of Appeals.

An act to amend an act, entitled "An act to amend section 6, of the Revised Statutes, title "Roads and Passways," approved February 20th, 1869.

An act to amend the charter of the town of Millersburg, in Bourbon county.

An act authorizing the county court of Spencer county to levy a tax in aid of turnpikes.

An act to amend the charter of the town of Brooksville, in Bracken county.

An act to repeal an act, entitled "An act to prohibit the sale of spirituous, vinous, or malt liquors in the town of Calhoon, or within two miles thereof," approved March 21st, 1870.

An act to amend the charter of the Big Sandy Navigation and Improvement Company.

An act to incorporate the town of Morses, in Graves county.

An act to secure the execution of the penal laws of the State in the counties of Clinton, Cumberland, and Monroe.

An act to amend the charter of the Beargrass Transportation Company.

An act to incorporate the Kentucky Baptist Historical Society.

An act for the benefit of A. W. Nickell, sheriff of Johnson county, and his sureties, for the year 1867.

An act for the benefit of the levy court of Henry county.

Mr. Bowles, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the Senate, of the following titles, viz:

An act to amend the charter of Uniontown;

An act to prevent justices of the peace in Kenton county from holding inquests in certain cases;

An act for the benefit of the Franklin Library, of Covington;

An act to amend the charter of the Hartford Railroad and Mining Company;

An act to incorporate the Bowling Green, Glasgow, and Greensburg Railroad Company;

An act to incorporate the Bowling Green and Madisonville Railroad Company;

An act to require the clerk of the Harrison circuit court to index and cross-index certain judgment and order-books in his office;

An act to charter the Boston and Fisherville Turnpike Road Company;

An act to incorporate the Ashbottom Turnpike Road Company;

An act for the better organization of public schools in Elizabethtown, and to establish the common school district of Elizabethtown, in Hardin county;

An act to amend the charter of the town of Murray, in Calloway county;

An act to declare the capital stock in all the railway companies incorporated by the laws of this State personal property;

An act to authorize the board of trustees of the town of Danville to borrow money to pay off the indebtedness of said town;

An act for the benefit of the police judge of Caseyville, in Union county;

An act to incorporate the town of Nebo, in Hopkins county;

An act to incorporate the Light's Hill Turnpike Road Company, in Kenton county;

An act for the benefit of John White, of Henry county;

An act to authorize the stockholders of the Hickman and Obion Railroad Company to elect a new board of directors;

An act to regulate the manner of constructing cattle-guards on railroads in this Commonwealth;

An act to print sheriffs' and master commissioners' advertisements of land sales in Carroll county in paper printed in said county;

An act for the benefit of the trustees of the town of Shelbyville;

An act to amend the charter of the town of Irvine;

An act to repeal an act, entitled "An act to enable Warren county to construct macadamized and other roads in said county," approved March 9th, 1868;

An act to amend an act, entitled "An act to incorporate the Cincinnati, Covington, and Cumberland Gap Railroad Company," approved March 11, 1867;

An act to amend an act, entitled "An act to incorporate the Green River Synod of the Cumberland Presbyterian Church in Kentucky;"

An act for the benefit of J. C. Calhoun, sheriff of McCracken county;

An act supplementary to an act, entitled "An act to establish a chancery court in the counties of Campbell, Kenton, Bracken, and Pendleton counties," approved March 20, 1871;

An act supplemental to an act, approved March 14, 1871, entitled "An act amending an act, entitled 'An act incorporating the Bardstown and Bloomfield Turnpike Road Company;'"

An act concerning the revenue and sinking fund;

An act to provide for the settlement of the accounts of Jordan Clark and Thos. P. Smith, late receiver of the Louisville chancery court;

An act to amend an act, entitled "An act for the benefit of the town of Tompkinsville, in Monroe county;"

And also enrolled bills and a resolution, which originated in the House of Representatives, of the following titles, viz:

An act to amend an act, entitled "An act to incorporate the Henderson German School Association," approved February 5, 1869;

An act for the benefit of common school district No. 2, in Montgomery county;

An act to amend an act to regulate the sale of spirituous liquors to minors;

An act to incorporate the district of Hayfield, in Campbell county;

An act to charter a Steam Ferry Company at the mouth of the Ohio river;

An act for the benefit of the jailer of Jefferson county;

An act to repeal an act, entitled "An act granting premiums on the scalps of wolves, wild cats, and red foxes in this State," approved March 21, 1870; and an act, entitled "An act granting premiums on red and grey foxes, wolves and wild cats' scalps in this State," approved February 17, 1866;

An act for the benefit of the estate of Young E Hurt, late sheriff of Adair county;

An act to prevent the sale of spirituous liquors in Bewleyville on the Sabbath day;

An act for the benefit of Thos. Posey, of Henderson county;

An act to authorize the county court of Henry county to publish its proceedings in the county paper.

An act for the benefit of school district No. 34, in Kenton county;

An act concerning the revenue due from Wayne county for the year 1863;

An act to relieve the directors and officers of the Louisville Water-works Company from service as grand and petit jurors in the county of Jefferson;

An act to incorporate the Wayne County Agricultural and Mechanical Society;

An act to incorporate the Hebrew Adath Israel Congregation of the city of Owensboro;

An act for the benefit of M. H. Bronaugh, of Christain county;

An act to regulate the selling of vinous, malt, or other intoxicating liquors, within Elk creek precinct, in Spencer county;

An act authorizing Wm. Green, of Elliott county, to erect a mill-dam across Little Sandy river;

An act for the benefit of the Pendleton Academy;

An act for the benefit of the Bourbon County Agricultural Society;

An act to restrict the granting of license to sell spirituous, vinous, or malt liquors, and the sale thereof, in the town of Leitchfield, or within one mile of the court-house therein;

An act for the benefit of Moore Pickle, colored;

An act to incorporate the Rough and Ready and Camdensville Turnpike Road Company;

An act to amend an act, entitled "An act incorporating the town of Lawrenceburg;"

An act to incorporate the Glasgow, Tompkinsville, and Cumberland River Turnpike Road Company;

An act to amend an act to incorporate the Kentucky River Turnpike Road Company;

An act to amend the charter of the New Castle and Kentucky River Turnpike Road Company;

An act relating to the office of school commissioner of the city of Louisville;

An act to amend an act incorporating Lagrange and Shelbyville Turnpike Road Company;

An act authorizing sheriffs, administrators, &c., of Simpson county, to give notice of sales as such in the newspaper published in said county;

An act for the benefit of John W. Duncan, sheriff of Wayne county;

An act to authorize Edward Hopper to qualify, execute bond, and act as executor of the last will and testament of Seymour Hopper, deceased;

An act for the benefit of William Quillin, of Letcher county;

An act to amend an act, entitled "An act to amend the charter of the Louisville and Salt River Turnpike Road Company," approved February 17, 1871;

An act to prohibit the sale of spirituous, vinous, or malt liquors in the town of Middleburg, in Casey county;

An act for the benefit of R. T. P. Allen and his securities;

An act to incorporate the Eagle Petroleum and Mineral Company, approved February 10, 1865;

An act to prohibit the carrying of concealed deadly weapons;

An act to repeal section 2 of an act to amend the charter of Princeton College;

An act for the benefit of H. W. Conway, of Nicholas county;

An act to prevent the sale of spirituous, vinous, or malt liquors in the town of DeMossville, in Pendleton county;

An act to change the time for the payment of the revenue into the State Treasury, and to amend the revenue laws;

An act to incorporate the Eminence Agricultural and Mechanical Association;

An act to expedite the collection of the war claims of the State of Kentucky;

An act to prohibit the sale of spirituous, vinous, or malt liquors within one mile of the Glasgow Railroad Depot, outside the corporate limits of the town of Glasgow;

An act to repeal the act creating Urania school district, in Barren county;

An act to incorporate the Farmers' Bank of Webster;

An act to prevent the selling of spirituous, vinous, or malt liquors in Germantown district, No. 4, in Clark county;

An act for the benefit of school district No. 7, in Henry county;

An act to amend an act, entitled "An act to incorporate the Louisville, Harrod's Creek, and Westport Railway Company;"

An act establishing the Orphans' School of Daughters' College;

An act for the benefit of school district No. 49, in Monroe county;

An act for the benefit of W. H. Stanley;

An act to incorporate the Leesburg and Clay's Cross-roads Turnpike Company;

Resolution rescinding former resolution to adjourn, and fix another day for final adjournment of this General Assembly;

And had found the same truly enrolled.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Bowles inform the Senate thereof.

And then the House adjourned.

THURSDAY, MARCH 23, 1871.

A message was received from the Senate, announcing that they had received official information that the Governor had approved and signed enrolled bills and a resolution, which originated in the Senate, of the following titles, viz:

An act to incorporate the Montgomery Manufacturing Company.

An act to amend an act, entitled "An act for the benefit of John T. Jackson," approved March 9, 1867

An act to incorporate the Grayson Springs and Grayson Springs Station Turnpike Road Company, in Grayson county.

An act to incorporate the Kentucky Mutual Benefit Association of Physicians.

An act to authorize and provide for the erection of a new court-house and clerks' offices in Fayette county.

An act to amend the charter of the Bowling Green, Hartford, and Ohio River Railroad Company.

An act in relation to the town marshal of Hartford, in Ohio county.

An act to incorporate the town of Smith's Grove, in Warren county.

An act to amend an act, entitled "An act to amend the charter of the Smithfield and Ballardsville Turnpike Road Company."

An act to amend the common school law for the county of Jefferson.

An act concerning the city court of Louisville.

An act to authorize and empower certain persons to close the Harrodsburg and Madison State Road, in Henry county.

An act authorizing the Harrison county court to appropriate money to aid in building a bridge across main Licking at Claysville, and to levy a tax therefor.

An act to incorporate the Eminence and Smithfield Turnpike Road Company.

An act to further increase the resources of the sinking fund for the city of Louisville.

An act for the benefit of the Southern Stock Yard Company.

An act to incorporate the Peed and Johnson Turnpike Road Company.

An act to amend an act, entitled "An act to authorize the Louisville chancery court, and the Jefferson circuit and county courts, to increase the compensation of the surveyor of Jefferson county in certain cases."

An act to amend an act, entitled "An act to incorporate the High Grove and Sayer's Depot Turnpike Road Company."

An act to amend the charter of the town of Carrollton, in Carroll county.

An act for the benefit of school district No. 9, in the county of Hancock.

An act to prevent the destruction of birds in Jefferson county.

An act for the benefit of the Minerva and Beasley's Creek Church Turnpike Road Company, in Mason county.

An act to prohibit the sale of spirituous, vinous, or malt liquors in the town of Campbellsville.

An act to incorporate the Barren River Lock and Dam Company.

An act to amend an act, entitled "An act to authorize the city of Newport to supply itself and others with pure water, and to establish water-works," approved January 26, 1871.

An act to amend the charter of the Kentucky Masonic Mutual Life Insurance Company.

An act to amend the charter of the city of Covington.

An act for the benefit of the personal representatives of Robert Foster, deceased.

An act to amend the charter of the New Castle and Carrollton Turnpike Road, approved February 4, 1858.

An act to amend an act, entitled "An act in relation to the sale of spirituous, vinous, or malt liquors in Logan county," approved March 12, 1870.

Resolution of thanks to the Democracy of New Hampshire for the victory won in their recent State elections, and congratulating the country in consideration thereof.

And that they had concurred in the amendment proposed by the House to a bill, which originated in the Senate, entitled

An act to incorporate the Kentucky and Southern Railroad Company.

A message was received from the Governor by Mr. Samuels, Assistant Secretary of State, announcing that he had approved and signed enrolled bills and resolutions, which originated in the House of Representatives, of the following titles, viz:

An act to authorize Thos. B. McGowan, jailer of Fayette county, to appoint a deputy jailer.

An act to suppress the selling, giving, or furnishing spirituous, vinous, or malt liquors to minors.

An act for the benefit of the estate of Young E. Hurt, late sheriff of Adair county.

An act to prevent the sale of spirituous liquors in Bewleyville on the Sabbath day.

An act for the benefit of school district No. 34, in Kenton county.

An act for the benefit of Thomas Posey, of Henderson county.

An act for the benefit of common school district No. 2, in Montgomery county.

An act to charter a steam ferry company at the mouth of the Ohio river.

An act to amend an act, entitled "An act to incorporate the Henderson German School Association," approved February 5, 1869.

An act to authorize the county court of Henry county to publish its proceedings in the county paper.

An act for the benefit of the jailer of Jefferson county.

An act to repeal an act, entitled "An act granting premiums on the scalps of wolves, wild cats, and red foxes, in this State," approved March 21, 1870, and an act, entitled "An act granting premiums on red and grey foxes, wolves and wild cats' scalps in this State," approved February 17, 1866.

An act to relieve the directors and officers of the Louisville Water-works Company from service as grand and petit jurors in the county of Jefferson.

An act concerning the revenues due from Wayne county for the year 1863.

An act to incorporate the Glasgow, Tompkinsville, and Cumberland River Turnpike Road Company.

An act for the benefit of William Quillin, of Letcher county.

An act to restrict the granting of license to sell spirituous, vinous, or malt liquors, and the sale thereof, in the town of Litchfield, or within one mile of the court-house therein.

An act authorizing sheriffs, administrators, &c., of Simpson county, to give notice of sales as such in the newspaper published in said county.

An act for the benefit of the Bourbon County Agricultural Society.

An act to amend an act incorporating the Lagrange and Shelbyville Turnpike Road Company.

An act for the benefit of M. H. Bronaugh, of Christian county.

An act to amend an act, entitled "An act to amend the charter of the Louisville and Salt River Turnpike Road Company," approved February 17, 1871.

An act to amend an act, entitled "An act incorporating the town of Lawrenceburg."

An act for the benefit of Moore Pickle (colored).

An act to amend an act to incorporate the Kentucky River Turnpike Road Company.

An act to amend the charter of the New Castle and Kentucky River Turnpike Road Company.

An act relating to the office of school commissioner of the city of Louisville.

An act to authorize William Green, of Elliott county, to erect a mill-dam across Little Sandy river.

An act for the benefit of the Pendleton Academy.

An act to incorporate the Wayne County Agricultural and Mechanical Society.

An act to incorporate the Rough and Ready and Camdensville Turnpike Road Company.

An act to regulate the selling of vinous, malt, or other intoxicating liquors within Elk creek precinct, in Spencer county.

An act to prohibit the sale of spirituous, vinous, or malt liquors in the town of Middleburg, in Casey county.

An act to authorize Edward Hopper to qualify, execute bond, and act as executor of the last will and testament of Seymour Hopper, deceased.

An act to incorporate the Hebrew Adath Israel congregation of the city of Owensboro.

An act for the benefit of John W. Duncan, sheriff of Wayne county.

An act to repeal the act creating Urania school district, in Barren county.

An act to prevent the selling of spirituous, vinous, or malt liquors in Germantown district, No. 4, in Clark county.

An act to repeal section second of an act to amend the charter of Princeton College.

An act to expedite the collection of the war claim of the State of Kentucky.

An act to prohibit the carrying of concealed deadly weapons.

An act to prevent the sale of spirituous, vinous, or malt liquors in the town of DeMossville, in Pendleton county.

An act to prohibit the sale of spirituous, vinous, or malt liquors within one mile of the Glasgow railroad depot, outside the corporate limits of the town of Glasgow.

An act to incorporate the Farmers' Bank of Webster.

An act to incorporate the Eminence Agricultural and Mechanical Association.

An act to change the time of payment of the revenue into the State Treasury, and amend the revenue laws.

An act to amend the charter of the town of Midway.

An act to incorporate the Campbell County Kentucky Bank.

An act for the benefit of the judges of the Todd and Harrison county and quarterly courts.

An act for the benefit of Benj. D. Beall, clerk of the Campbell circuit court.

An act to protect owners of land in Carroll, Hardin, and Gallatin counties, from trespasses.

An act to amend an act, entitled "An act to incorporate the town of Pleasureville, in Henry county."

An act for the benefit of school district No. 7, of Henry county.

An act for the benefit of W. H. Stanley.

An act for the benefit of school district No. 49, in Monroe county.

An act to incorporate the Leesburg and Clay's Cross Road Turnpike Company.

An act to amend an act to incorporate the Eagle Petroleum and Mineral Company, approved February 10, 1865.

An act for the benefit of R. T. P. Allen and his securities.

An act to amend an act, entitled "An act to incorporate the Louisville, Harrod's Creek, and Westport Railway Company."

An act establishing the Orphans' School of Daughters' College.

Resolution rescinding former resolution to adjourn, and fixing another day for final adjournment of this General Assembly.

Resolution to print and distribute, in pamphlet form, the general laws passed at the present session of the General Assembly.

Mr. McKenzie moved the following resolution, viz:

Resolved, That the thanks of this House are due, and are hereby tendered, to Hon. John T. Bunch, Speaker, M. T. Chrisman, Chief Clerk, Thomas S. Pettit, Assistant Clerk, J. M. Hines, Sergeant-at-Arms, and R. A. Thompson, Door-keeper, of the House of Representatives, for faithfulness and efficiency in the discharge of their official duties.

Which was twice read and unanimously adopted.

Mr. Spalding moved the following resolution, viz:

Resolved, That the thanks of this House are hereby tendered to John M. Todd, Reporter for the Yeoman, for the very efficient manner in which he has reported the proceedings of this House during the present session.

Which was twice read and unanimously adopted.

Mr. McKenzie moved the following resolution, viz:

Resolved, That the thanks of this House are due to its Pages, Jas. M. Lobban, M. T. Chrisman, jr., Robert G. Duvall, and Jacob Corbett, for the polite and prompt manner with which they have discharged their duties.

Which was twice read and unanimously adopted.

A message was received from the Senate, announcing that they had received official information that the Governor had approved and signed enrolled bills, which originated in the Senate, of the following titles, viz:

An act for the benefit of the Franklin Library, of Covington.

An act to require the clerk of the Harrison circuit court to index and cross-index certain judgment and order-books in his office.

An act to amend the charter of Uniontown.

An act to authorize the board of trustees of the town of Danville to borrow money to pay off the indebtedness of said town.

An act to incorporate the Bowling Green, Glasgow, and Greensburg Railroad Company.

An act to amend the charter of the town of Murray, in Calloway county.

An act to incorporate the Bowling Green and Madisonville Railroad Company.

An act to incorporate the Ashbottom Turnpike Road Company.

An act to incorporate the town of Nebo, in Hopkins county.

An act to amend the charter of the Hartford Railroad and Mining Company.

An act for the benefit of John White, of Henry county.

An act to declare the capital stock in all the railway companies, incorporated by the laws of this State, personal property.

An act to prevent justices of the peace, in Kenton county, from holding inquests in certain cases.

An act for the benefit of the police judge of Caseyville, in Union county.

An act to charter the Boston and Fisherville Turnpike Road Company.

An act to incorporate the Light's Hill Turnpike Road Company, in Kenton county.

An act for the better organization of public schools in Elizabethtown, and to establish the common school district of Elizabethtown, in Hardin county.

An act in relation to examining courts.

An act for the benefit of the trustees of the town of Shelbyville.

An act to amend the charter of the town of Irvine.

An act to repeal an act, entitled "An act to enable Warren county to construct macadamized and other roads in said county," approved March 9, 1868.

An act to print sheriffs and master commissioners' advertisements of land sales in Carroll county, in paper printed in said county.

An act to regulate the manner of constructing cattle-guards on railroads in this Commonwealth.

An act to authorize the stockholders of the Hickman and Obion Railroad Company to elect a new board of directors.

An act supplementary to an act, approved March 14, 1871, entitled "An act amending an act incorporating the Bardstown and Bloomfield Turnpike Road Company."

An act concerning the revenue and sinking fund.

An act to amend an act, entitled "An act to incorporate the Cincinnati, Covington, and Cumberland Gap Railroad Company," approved March 11th, 1867.

An act to incorporate the Green River Synod of the Cumberland Presbyterian Church in Kentucky.

An act to provide for the transfer of cases from the McCracken circuit court to the McCracken common pleas court in certain cases.

An act for the benefit of J. C. Calhoun, sheriff of McCracken county.

An act to amend an act, entitled "An act for the benefit of the town of Tompkinsville, in Monroe county."

An act supplemental to an act, entitled "An act to establish a chancery court in the counties of Campbell, Kenton, Bracken, and Pendleton counties," approved March 20, 1871.

An act to provide for the settlement of the accounts of Jordan Clark and Thomas P. Smith, late receiver of the Louisville chancery court.

An act to amend the charter of the city of Hickman.

An act to amend the law in relation to county judges, approved February 13, 1858.

Mr. Bowles, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the Senate, of the following titles, viz:

An act to amend subsection 1 of section 614, title 13, article 2, of the Civil Code of Practice;

An act to incorporate the Shawneetown, Morganfield, and Sebree Railroad Company;

An act to amend the charter of the Elizabethtown and Tennessee Railroad Company;

An act to incorporate the Kentucky and Southern Railroad Company;

An act to amend an act, entitled "An act to establish a State House of Reform for Juvenile Delinquents," approved February 15th, 1869.

An act to further define the duties of clerks of circuit, chancery, and county courts of this Commonwealth;

An act to provide for the payment of the State debt;

An act to amend an act, entitled "An act to facilitate the finding of records in the Warren circuit courts," approved February 25th, 1870;

An act to amend an act, entitled "An act to amend an act to allow the citizens of Henry county to vote a tax in aid of turnpike companies of said county;"

An act to amend an act, entitled "An act to incorporate the Louisville, Memphis, and New Orleans Railway Company," approved February 20th, 1870;

And also enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to amend an act, entitled "An act to incorporate the Louisville and Chattanooga Grand Trunk Railroad;"

An act to prohibit the sale of spirituous or vinous liquors in the town of Warsaw, or within four miles thereof, in Gallatin county;

An act to incorporate the Broadway and Dunkirk Railway Company;

An act to incorporate the Paris, Georgetown, and Frankfort Railroad Company;

And had found the same truly enrolled.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Bowles inform the Senate thereof.

A message was received from the Senate, announcing that they had received official information that the Governor had approved and signed enrolled bills, which originated in the Senate, of the following titles, viz:

An act to incorporate the town of Milledgeville, in Lincoln county.

An act to amend an act, entitled "An act to facilitate the finding of records in the Warren circuit court," approved February 25, 1870.

An act to amend an act, entitled "An act to amend an act to allow the citizens of Henry county to vote a tax in aid of turnpike companies."

An act to amend subsection 1, of section 614, title 13, article 2, of the Civil Code of Practice.

An act further to define the duties of clerks of circuit, chancery, and county courts of this Commonwealth.

An act to provide for the payment of the State debt.

An act to amend the charter of the Elizabethtown and Tennessee Railroad Company.

An act to incorporate the Shawneetown, Morganfield, and Sebree Railroad Company.

An act to incorporate the Kentucky and Southern Railroad Company.

An act to amend an act, entitled "An act to incorporate the Louisville, Memphis, and New Orleans Railway Company."

A message was received from the Governor by Mr. Samuels, Assistant Secretary of State, announcing that he had approved and signed enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to amend an act, entitled "An act transferring portions of the Elizabethtown and Bell's Tavern Turnpike Road to the counties of Hardin, Hart, and Barren," approved December 23d, 1861.

An act for the benefit of Hermon V. Cothes, of Ballard county.

An act for the benefit of John L. Ross, of Ballard county.

An act for the benefit of John W. Robinson, of Hickman county.

An act to prohibit the sale of spirituous or vinous liquors in the town of Warsaw, and within four miles thereof, in Gallatin county.

An act to amend an act, entitled "An act to establish a State House of Reform for Juvenile Delinquents."

An act to amend an act, entitled "An act to incorporate the Louisville and Chattanooga Grand Trunk Railroad."

An act to incorporate the Broadway and Dunkirk Railway Company.

An act to incorporate the Paris, Georgetown, and Frankfort Railroad Company.

Mr. Thurmond moved the following preamble and resolution, viz:

WHEREAS, This House has learned with deep regret that the Hon. W. M. Hamlin, the member from Calloway county, is confined to his room seriously ill; therefore,

Resolved, That this House hereby express its heartfelt sympathy with him in his affliction.

Which was taken up, twice read, and unanimously adopted.

A message was received from the Senate, announcing that they had appointed a committee to wait upon the Governor, and learn if he had any further communication to make to this General Assembly, and requesting the appointment of a similar committee upon the part of the House, to act in conjunction with the committee from the Senate.

And thereupon, on motion of Mr. Spalding, said committee was appointed by the House, consisting of Messrs. Spalding, McKenzie, and Wight.

And after a time, Mr. Wight, from said committee, reported that they had discharged that duty, and were informed by the Governor that he had no further communication to make.

And then, in pursuance to the joint resolution heretofore adopted by both Houses, the Speaker declared that this House was adjourned *sine die*.

LIST OF MEMBERS AND OFFICERS

Of the House of Representatives, giving Name, County represented, and Post-office Address.

NAME.	POST-OFFICE.	COUNTY.
William Adair	Munfordville	Hart.
Silas Adams	Liberty	Casey.
George W. Anderson	Louisville, 8th district	Jefferson.
Irvin Anderson	Mayfield	Graves.
J. M. Atherton	New Haven, Nelson co.	Larue.
William F. Barret	Louisville, 6th district	Jefferson.
P. W. Barron	Burksville	Cumberland.
Alpheus W. Bascom	Owingsville	Bath.
J. F. Baugh	London	Laurel.
Robert C. Beauchamp	Hawesville	Hancock.
John W. Blue	Marion	Crittenden.
D. M. Bowen	Frankfort	Franklin.
O. C. Bowles	Pikeville	Pike.
Samuel W. Brents	Glasgow	Barren.
Howell Brewer	Proctor	Owsley.
Jesse D. Bright	Carrollton	Carroll.
Henry Bruce	Danville	Boyle.
John T. Bunch	Louisville, 5th district	Jefferson.
E. Burr	Russellville	Logan.
William B. Caldwell	Louisville, 4th district	Jefferson.
James E. Cantrill	Georgetown	Scott.
Landon Carter	Camdensville	Anderson.
J. S. Chrisman	Monticello	Wayne.
James R. Claybrook	Texas	Washington.
A. T. Coffman	Hartford	Ohio.
Thomas T. Cogar	Pekin	Jessamine.
Isaac B. Combs	Jackson	Breathitt.
R. L. Cooper	Orangeburg	Mason.
Thomas H. Corbett	Blandville	Ballard.
Joseph M. Davidson	Prestonsburg	Floyd.
F. R. Davis	Flemingsburg	Fleming.
Asbury Dawson	Franklin	Simpson.
J. C. DeMoss	California	Campbell.
George R. Diamond	Louisa	Lawrence.
N. C. Dille	Cynthiana	Harrison.
D. E. Downing	Tompkinsville	Monroe.
H. G. Duerson	Westport	Oldham.
John Duvall	New Liberty	Owen.
M. W. Ferguson	Louisville, 1st district	Jefferson.
James P. Ford	Mortonsville	Woodford.
W. W. Frazier	Elkton	Todd.
John N. Furber	Covington	Kenton.
Samuel G. Geisler	Newport	Campbell.
Robert T. Glass	Henderson	Henderson.
L. D. Good	Stanford	Lincoln.
Clinton Griffith	Owensboro	Daviess.
D. Hambleton	Cloverport	Breckinridge.
William M. Hamlin	Murray	Calloway.
Ashton P. Harcourt	Taylorsville	Spencer.
Ben. Hardin	Bardstown	Nelson.
J. B. Hays	Greenville	Muhlenburg.
Thomas H. Hays	Pitt's Point, Bullitt co.	Hardin.
A. J. Hendrickson	Vanceburg	Lewis.
J. L. Hibbs	Smithland	Livingston.

LIST OF MEMBERS AND OFFICERS—Continued.

NAME.	POST-OFFICE.	COUNTY.
J. R. Hindman	Gradyville	Adair.
Elijah Hogan	Warsaw	Gallatin.
Jeff. C. Holeman	Dixon	Webster.
R. E. Humphreys	Calhoon	McLean.
Elijah Hurst	Harlan C. H.	Harlan.
William Irwin, sr.	Louisville, 2d district	Jefferson.
George M. Jessee	Newcastle	Henry.
A. M. Jones	Edmonton	Metcalfe.
John W. Kendall	West Liberty	Morgan.
James Kilgore	Coalton	Carter.
Francis M. Lowe	Falmouth	Pendleton.
G. W. Little	Whitley C. H.	Whitley.
J. J. McAfee	Eldorado	Mercer.
James B. McCreary	Richmond	Madison.
William J. McElroy	Scottsville	Allen.
George R. McKee	Lancaster	Garrard.
J. A. McKenzie	Oak Grove	Christian.
Mason Morris	Brownsville	Edmonson.
Thomas E. Moss	Paducah	McCracken.
Thomas H. Moss	Greensburg	Green.
Edward Myall	Paris	Bourbon.
Joshua B. Parks	St. Matthews	Jefferson.
E. A. Pearson	Louisville, 7th district	Jefferson.
W. H. Pettus	Somerset	Pulaski.
E. C. Phister	Maysville	Mason.
Alfred T. Pope	Louisville, 3d district	Jefferson.
William V. Prather	Mt. Olivet	Robertson.
Douglass L. Price	Lexington	Fayette.
G. W. Quick	Cadiz	Trigg.
William S. Richart	Mt. Sterling	Montgomery.
George W. Riddle	Morganfield	Union.
George W. Silvertooth	Clinton	Hickman.
Robert Simmons	Covington	Kenton.
Henry H. Skiles	Bowling Green	Warren.
R. K. Smith	Brookville	Bracken.
R. M. Spalding	Lebanon	Marion.
George W. Terrell	Petersburg	Boone.
P. M. Thurmond	Princeton	Caldwell.
J. L. Waring	Greenupsburg	Greenup.
W. J. Webb	Irvine	Estill.
A. D. Weller	Falls of Rough	Grayson.
John F. Wight	Simpsonville	Shelby.
L. Wilson	Madisonville	Hopkins.
John Wolf	Independence	Kenton.
S. M. Wrather	Brandenburg	Meade.
Hugh H. York	Cumberland Ford	Josh Bell.
M. T. Chrisman, Clerk	Danville	Boyle.
Thos. S. Pettit, Assistant Clerk	Owensboro	Daviess.
J. M. Hines, Sergeant-at-Arms	Bowling Green	Warren.
Robert A. Thomson	Forks of Elkhorn	Franklin.
D. D. Sublett	Salyersville	Magoffin.

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